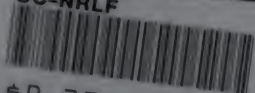
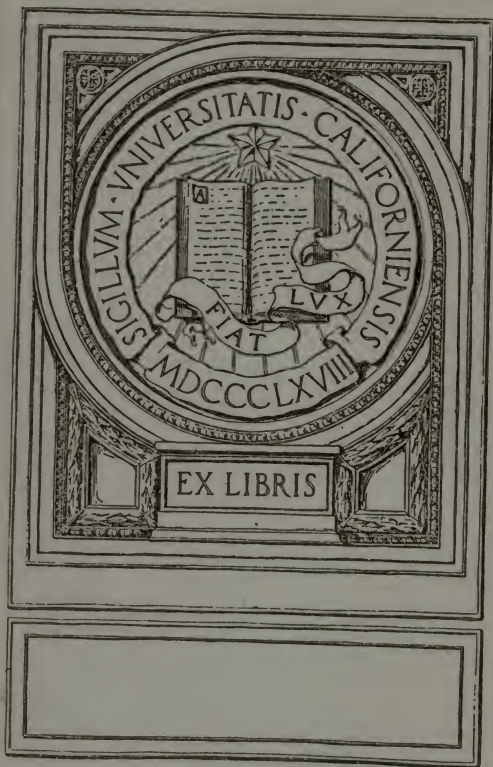
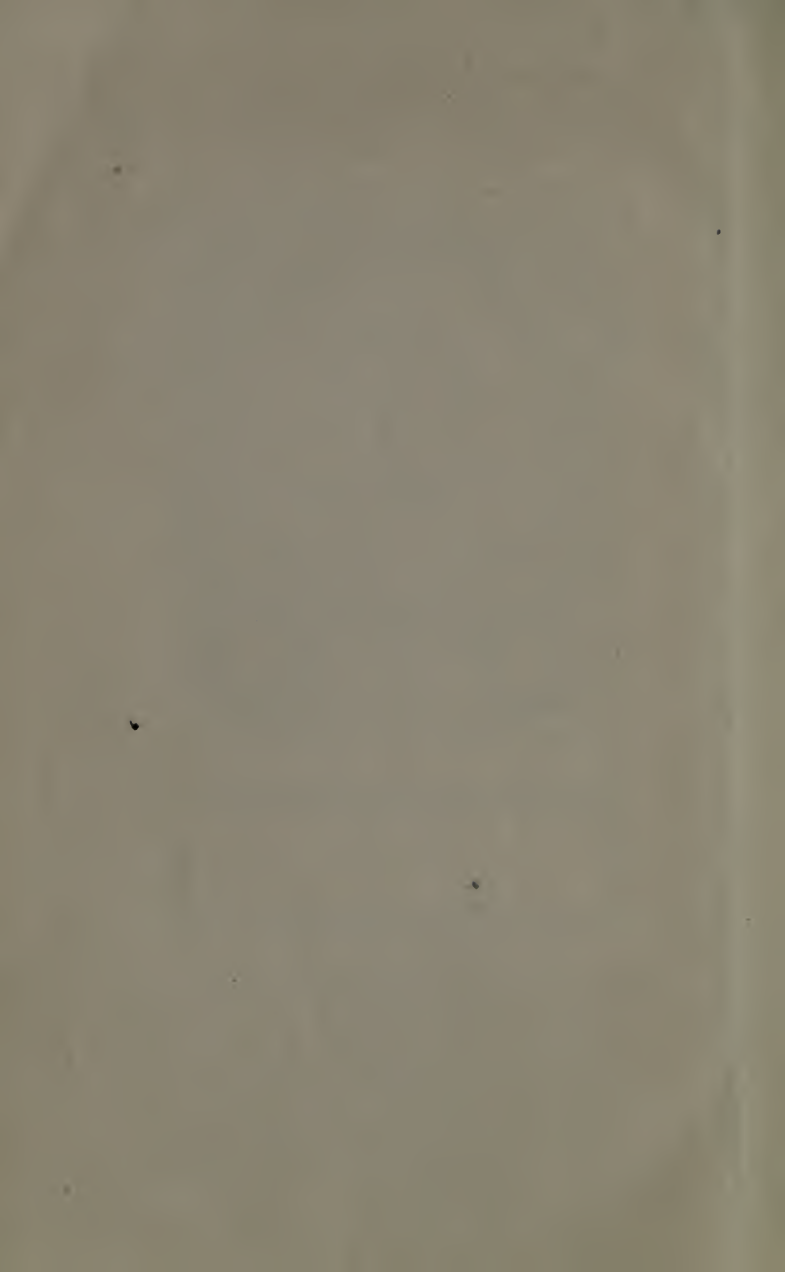


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THE MEDIEVAL INQUISITION

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A STUDY IN RELIGIOUS PERSECUTION

BY

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THE MEDIEVAL INQUISITION

CHAPTER I

THE MORAL CONDITION OF THE MEDIEVAL CHURCH

ALTHOUGH it has been said of human nature that the more it changes the more it is the same thing, it is yet true that at different epochs it is actuated by widely different ideas. The underlying passions are the same, but the forces evoking them vary so greatly that sometimes, as in considering the history of the Middle Ages, we seem to be concerned with beings from another planet. One of the most powerful of these forces is religion ; and, though religion in the abstract is assumed to bring out all that is best in human nature, it has in the past only too frequently appealed to and stimulated its baser elements. The evil is due partly to erroneous religious teaching, but probably still more to the obstinate imperfection of the material on which religion has to work. The vast majority of human beings are even now incapable of appreciating and practising an absolutely pure religion, and probably no such religion has ever yet had a fair trial. Dogmatic systems there have been in abundance, but these are not to be identified with religion. It has been one of the most serious drawbacks to the claims of historic Christianity that, disregarding the spirit of its

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own moral precepts, it has treated religion as a mere system of belief and ceremonial observance, which has defeated the object it was intended to promote.

In two respects organized Christianity has been a huge mistake. It has misunderstood the nature of the salvation it proffered, representing it as rescue from endless physical torment in another state of existence instead of moral victory in this. It has made an assumed correctness of intellectual belief instead of right conduct the condition of this salvation, with the inevitable consequence that ceremony has usurped the place of virtue, and religion has become a matter of externals. And its claim to Divine inspiration and support led naturally to a demand for obedience so complete that no room was left for liberty of opinion and mental expansion.† The claim to Divine inspiration involved the existence of a spiritual hierarchy with ever-growing demands and ever-increasing power. Refusal to obey these demands necessarily implied disbelief in the doctrines underlying them, of which doctrines the hierarchy was the sole expositor. Thus every opinion which deviated from the authorized view became heretical, and, heresy being an impious opposition to the Divine will and to all that was good and true, deserved the severest repression.‡ From this dogmatic standard, which the ignorant were unable to question, arose that terrible system of religious persecution which has covered organized Christianity with indelible shame. The present inquiry is not concerned with the truth or falsehood of the Church's theological basis, but only with its effects. The general conditions of the Middle Ages being what they were, those effects were in a sense inevitable, and the moral condemnation which must be visited upon the medieval Church applies less to individuals than to the system which produced them—a system which was incompatible not only with

the rights of individuals, but with the progress of humanity in civilization and happiness.

What, then, was the moral condition during the Middle Ages of the organization which made these extravagant claims to supremacy? To us who live in the twentieth century it may appear very plain that priestly domination could not be favourable to improvement in morals or in knowledge. Prevent people from thinking, and you prevent them from improving. They lose the desire to improve; they become incapable of improvement; they neither know nor care for the pleasures of knowledge; they relapse into a state resembling that of animals. Can it be supposed that this has no effect upon their morals? And the class which puts forward the claims in question becomes equally debased. Selfishness, ignorance, and cruelty become as marked in the shepherds as in the flocks they are supposed to lead, with the additional vice of a tyrannical arrogance born of class privilege and the claim to superhuman authority.

The religious extortion that went on impoverished the people and demoralized the clergy. After King John's surrender to the Pope, England was bled for the benefit of foreign ecclesiastics to the extent of thrice the income of the Crown. Throughout Europe the administration of justice was shockingly corrupt, and was not improved by the Papal practice of granting letters authorizing the exercise of judicial functions by any one who could pay the fees. Not only were these letters frequently forged, but it was easy for unprincipled persons to pretend that they possessed them, and such was the danger of raising objections that few of the victims dared to dispute their validity. In Rome itself there was a factory for the production of these interesting forgeries; but, though it was suppressed by Innocent III, the practice continued, and to the people the consequences were the same

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whether the letters were genuine or false. With such a system it is not surprising that the Bishops fleeced their own flocks with little scruple.

Excommunication was imposed for trifling offences ; but, however unjustly, the victim had to pay for being reconciled to holy Church. The magnificent abbeys and cathedrals which are the glories of architecture were to some extent an expression of religious faith, but even more of the clerical pride which reared them with money exacted from the poor. Preaching was almost wholly neglected, and this was one of the reasons why heresy became formidable. Parish priests could not preach without special licence from the Bishops whose prerogative preaching was, and by whom it was neglected because they were engrossed with worldly cares and pleasures and warlike duties. The Lord Bishop was first and foremost a man of war, especially in the thirteenth century. A story is told about the Bishop of Beauvais, one of the most ruthless of these warriors for Christ, who, when captured by the English, complained to the Pope that his privileges as a Churchman had been violated. In reply to the remonstrance of His Holiness, Richard I sent him the coat of mail in which the Bishop had been captured, with the Scriptural inquiry : " Know whether it be thy son's coat or no." Benefices were openly sold, or bestowed upon children, seven years being the minimum age fixed by some Popes for the clerical function. The abuses that grew out of the system of pluralities, the exactions connected with tithes, confessions, absolutions, marriages, funerals, were endless, a large part of the Church's wealth being derived from legacies which the fear of hell prompted the dying to leave at death or frequently to hand over during life.

In 1170 a Papal decree was issued that wills were invalid unless made in the presence of a parish priest,

and notaries were sometimes excommunicated for failure to comply with this condition. Nor did the dead escape the clerical maw. It was customary to leave money to the Church for masses for the repose of the soul, and to present oblations at the funeral. The corpse was the property of the parish, but the priest was often deprived of his privileges by a neighbouring monastery having induced the dying man to bequeath to it his remains. Hence arose the most unseemly squabbles for possession of the body—a rivalry further complicated by the rise of the Mendicant Orders and their bitter struggles for fees.

Even greater social evils resulted from the immunities from secular law which the clergy succeeded in gaining. The first of these was that worthless men were attracted to the Church, and did as they pleased under the shelter of its privileges. Malefactors habitually pleaded clerical rights; the Church, in a spirit of comradeship worthy of a better cause, as regularly took up their defence. Crime flourished, and the community suffered. Innocent III reinstated a Bishop of exceptionally bad character who had been imprisoned for rebellion against the King of Denmark, and decided that priests could not be arrested by laymen and brought before the episcopal court even when detected in gross crime. Under these conditions it was almost impossible for laymen to obtain justice, whether in regard to offences against person or offences against property. And, the clergy being the only educated class, their opportunities for exploiting the popular ignorance were abundant and fully utilized.

Monasteries were the fruit of good intentions, but, in spite of occasional examples to the contrary, soon became degraded to an extraordinary degree. Rome could easily be bribed to grant exemption from the jurisdiction of the Bishops, and the liberty of monks and nuns degene-

rated into the foulest licence. The abodes of religion were feudal castles, in which the monks lived as riotously as the barons, and waged private war with equal ferocity. As for the nunneries, many of them were notoriously no better than brothels. With these varied attractions, it is not surprising that the lawless found in the monastic life a congenial refuge; and many a robber baron and many a criminal temporarily weary of crime discovered a safe and easy way of gratifying his untamed passions. So little were the obligations of honesty observed that within the monasteries themselves the inmates had to take special precautions against theft by their fellows, each monk having to keep a wary eye on his own spoons, dishes, and bedclothes. The holy tramps who wandered about selling false relics and working false miracles became so great a nuisance that they were sometimes killed without mercy when detected in their frequent crimes.

The system of indulgences so carefully worked out by the Church produced the most various results throughout Europe. A death-bed gift to the Church atoned for an evil life; trifling religious observances were thought to secure not only remission of the pangs of Purgatory, but forgiveness of all sins committed after baptism. In short, all sin was condoned on the most favourable terms, and eternal salvation purchased for the price of a pair of boots. The bones or the dead bodies of saints were held to protect believers from all ills, and to ensure prosperity; even a single glance at the image of St. Christopher preserving one from disease or sudden death for the rest of the day. Some of the beliefs connected with the worship of the sacred wafer reveal a credulity which only carefully-fostered ignorance could render possible. A specimen wafer placed in a beehive to check disease among the bees was so highly appreciated by

those intelligent insects that they built a little chapel around it, with windows, roof, and bell-tower all complete, and an altar inside, on which they reverently placed the wafer. A woman who crumbled a wafer over her cabbages to protect them from caterpillars was at once punished by incurable paralysis.

Simony.

The scandals connected with the sale of indulgences are too well known to need description, but the universal prevalence of simony is less generally realized. Simony is defined as "giving or receiving, or intending to give or receive, anything temporal for anything spiritual."¹ The term is derived from Simon Magus, who is stated in *Acts* viii, 18, 19, to have offered St. Peter money for the privilege of communicating the Holy Ghost. This abuse formed one of the great scandals in the Church, especially in the thirteenth century, and was so deeply rooted that the efforts of reforming Pontiffs like Gregory VII produced little result. (Less conscientious Popes were such notorious offenders that the venality of the Papal court became a byword, and some vicars of Christ amassed enormous private fortunes by this dubious means.)

Simony was a heresy which came under the jurisdiction of the Inquisition, and could not long have flourished had that efficient body determined to stamp it out. There is no record that the Inquisition ever even undertook a prosecution for simony; it was too profitable to the Roman Curia. From the highest to the lowest the Church was infected with this vice: there was scarcely a church in Christendom free from it, and Pope John XXII drew up a regular scale of absolutions for the most

¹ Addis and Arnold, *Catholic Dictionary*, p. 776.

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moderate fees. In order to pay the expenses of his soldiers and of his building operations, Boniface XI once dismissed suddenly all the prelates at his Court and many others, and then sold their places to the highest bidders, with the result that some of the ejected Bishops wandered about in a state of starvation. Newly appointed prelates were bled freely, and if the demands were not met they became simple priests once more. Boniface appointed as Bishops the men who were willing to pay the most liberally, archbishoprics commanding the high figure of 60,000 to 80,000 florins. Yet one of the great questions debated in the thirteenth century was the question whether it was possible for the Pope to commit simony! Every one knew that many Popes actually did commit an offence of which the evil effects were far reaching. If the love of money is not the root of all evil, it is the root of much, and its effects in the sphere of religion are peculiarly deplorable. The Papal Court was filled with a swarm of ecclesiastics greedy for preferment by any means whatever. When they obtained it they at once set to work to recoup themselves for the time spent and the bribes they had to give, by extorting money from their flocks, to the complete neglect of their spiritual duties. In the administration of justice ecclesiastics acquitted the guilty for bribes, and trumped up charges against the innocent, which had to be compounded for cash. A bishop who resided in his diocese was the exception that proved the rule. Men preferred to live under the tyranny of the baron rather than under the dangerous protection of the Church.

Money being the real qualification for the ministry of the Gospel, the priests were generally as illiterate as they were immoral. "They haunt the taverns and brothels, consuming time and substance in eating, drinking, and gambling; they quarrel, fight, and

blaspheme, and hasten to the altar from the embraces of their concubines.”¹ The higher clergy, who could readily purchase exemptions, considered themselves free to indulge in every kind of excess; the monks were licentious and unruly vagabonds, who carefully avoided keeping their vows; the mendicants, who pretended to greater strictness, gave themselves up to every kind of fleshly indulgence; the morals of nunneries were such that to join one was the same thing as becoming a public prostitute. A Jew is said to have become convinced that Christianity must be of God, since it continued to exist in spite of the wickedness of the clergy. The visions of St. Birgitta and the vehement warnings of St. Catherine of Siena were fruitless to stem the torrent of iniquity. Nearly the whole Church being in this condition, reform from within was hopeless, as indeed was stated in 1437 by a Dominican bishop. Exaggeration may be suspected, but that it was not easy to exaggerate the following incident will show. “In 1459 there died at Arras at the age of eighty Nicaise le Vasseur, canon and head of the Chapter of Arras. He not only had daughters and committed incest with them, but also with a granddaughter whom he had by one of them. Yet so blunted was the moral sense of Church and people that, as we are told, this monster officiated *très honorablement* in Divine service on all feasts and holidays, and the only comment of the chronicler is that he did it most becomingly. When in 1474 news of the death of Sixtus IV was received in Rome with a pæan of joy, people commented not so much upon his selling benefices to the highest bidder and his other devices for extorting money as upon the manner in which he rewarded the boys who served his unnatural lusts by granting to

¹ H. C. Lea, *History of the Inquisition of the Middle Ages*, vol. iii, p. 630.

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them rich bishoprics and archbishoprics.”¹ When Pope Alexander VI was reproached with Papal connivance with crime, he is said to have made the cynical reply: “God does not desire the death of a sinner, but that he should pay, and live.”²

That the Church should have made its principal aim correctness of belief (or rather obedience to its authority), and purity of life a secondary consideration, involved the policy of religious persecution systematically followed by the Inquisition. Except as a source of revenue, crime was of little consequence. Virtuous heretics were exterminated, and the guilty orthodox absolved from the worst crimes, in the name of Christ. A Flemish chronicler relates in 1379 “that it would be impossible to describe the prevalence everywhere of perjuries, blasphemies, adulteries, quarrels, brawls, murder, rapine, thieving, robbery, whoredom, debauchery, avarice, oppression of the poor, drunkenness, and similar vices, and he illustrates his statement with the fact that in the territory of Ghent within the space of ten months there occurred no less than 1,400 murders committed in bagnios, brothels, gambling houses, taverns, and other similar places.”³ In the Italian Church there was no devotion, in the laity neither faith nor morals. Factions filled the streets with blood, the roads were closed by robbers, the seas swarmed with pirates. “Parents slew with rejoicing their children who chanced to be of the opposite faction.”⁴ Æneas Sylvius wrote in 1453: “Whether I look upon the deeds of princes or of prelates I find that all have sunk, all are worthless.....Execration and falsehood and slaughter and theft and adultery are spread among you, and you add blood to blood.....There is no shame in crime, for you

¹ Lea, p. 639.

² *Ibid*, p. 642.

³ *Ibid*, p. 644.

⁴ *Ibid*, p. 643.

sin so openly and shamelessly that you seem to take delight in it.”¹

The flagrant immorality of many of the Bishops, and the frequency with which they took part in war, were even in rude times deemed unbecoming to their profession; but the difficulty of getting them punished by any ecclesiastical court was so great that in most cases the offenders could continue to tread the primrose path of dalliance without fear of retribution. About the worst of these clerical rakes was the Archbishop of Besançon, who in 1198 was accused of perjury, simony, and incest. He was formally indicted by his Chapter, but the Pope, on the authority of the Gospel story of the woman taken in adultery, charitably dismissed the charge with a caution. The hardened old sinner continued his gay career for sixteen years, but was at length driven from his see by the townspeople. It took ten years to get rid of another prelate, a Bishop of Toul, and a few years later he was killed by his uncle in revenge for a murder. This gentleman's favourite mistress was a daughter of his own, the mother being a nun.

Whatever were the causes of this appalling state of things, it is difficult to reconcile it with the claim that the Christian Church is a Divine institution. Yet it would not be true to say that no virtue existed. Even in the Church there were good and sincere men who strove earnestly to check the tide of iniquity. And those whom the Church hounded to death far surpassed it in purity of life. The poor persecuted heretics were noted for their blameless conduct, their singular industry, their self-sacrifice and endurance, which formed a lesson to the orthodox. “Ignorant and toiling men and women—peasants, mechanics, and the like—dimly conscious that

¹ Lea, p. 643.

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the system of society was wrong, that the commands of God were perverted or neglected, that humanity was capable of higher development if it could but find and follow the Divine Will; striving, each in his humble sphere, to solve the inscrutable and awful problems of existence, to secure in tribulation his own salvation, and to help his fellows in the arduous task—these forgotten martyrs of the truth drew from themselves alone the strength which enabled them to dare and to endure martyrdom.”¹ The earnest and devoted ministers of the Church, the virtuous and humble believers among the laity, were as drops in the ocean of evil; and it was popularly believed that Antichrist was ruling in the world, and that the awful Day of Judgment was at hand.

Clerical Celibacy.

The great question whether priests should or should not be permitted to marry caused the deepest agitation in the Church for many hundreds of years. As early as the fourth and fifth centuries the Church decided it in the negative, but this and many later prohibitions were nullified by the liberty which it allowed in practice. The early Church had so great a horror of the matrimonial state that some theologians seriously doubted whether the salvation of married persons came within the possibilities of the Divine scheme.

During the eleventh century the Church succeeded, after long and violent struggles, in enforcing upon its priesthood at least a nominal celibacy, but it did not succeed in improving the ecclesiastical morals. As the celibate party were the more fanatical, and usually applied to priests' wives the term “concubines,” it was not easy to distinguish lawful or *quasi*-lawful unions

¹ Lea, p. 645.

from illicit connections. Anyhow, when priests found they could not marry, they generally had no hesitation in taking to themselves concubines, or sometimes a succession of paramours—a custom so commonly recognized that a layman confessing an illicit amour was forbidden to name his erring partner because it would give the priest an opportunity to exploit her frailty. Thus illicit connections on the part of priests were winked at, while marriage was forbidden—an excellent example of straining at a gnat and swallowing a camel. This eccentric notion of morality led to horrible abuses. Pope Alexander II declined, in 1064, to deprive of communion a priest who had committed adultery with the wife of his father, and a little later reduced the penance imposed on another priest found guilty of incestuous relations with his own mother. The institution of matrimony afforded to the priesthood perpetual opportunities for exacting money. The remotest degree of blood relationship was found to be perilous, but ingenuity and cash overcame the difficulty. Bishops did not scruple to receive a tribute known as the “cullagium,” which enabled a “celibate” priest to solace his holy duties with wife or concubine. The difficulty remained acute until the fifteenth century, human nature having proved as rebellious as ever. It was only in 1414 that it was finally settled by the Council of Constance, the rigid moralists who formed that conclave being accompanied by an army of prostitutes. The attempt to enforce clerical celibacy, or, rather, the rule which required its observance, was a chief contributing cause of the scandalous state of ecclesiastical morals in the Middle Ages, as, indeed, is expressly stated by Alain Chartier, a French chronicler of the early fifteenth century.

In those Anglo-Saxon times, in which romancers have discovered a wealth of simple virtue, clerical chastity

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had many chinks in its armour. A Saxon chronicler of the eleventh century attributes the ruin of the kingdom to the vices of the clergy having drawn upon it the wrath of God. It was a common practice for priests to put away their wives, and live in open adultery with other women. A century later no improvement was perceptible, many of the clergy having two wives, and changing them at pleasure. An instance is recorded of the Abbess of Avesbury, whose recklessness in having three children procured her a life-pension, but was surpassed by the laxity of her nuns, who were dismissed from their "abode of love." Giraldus Cambrensis relates that nearly all parish priests in England and Wales had companions who were indifferently regarded as wives or concubines. In Ireland matters were equally bad, the chief blame being naturally visited on the less guilty women. The condition of Scotland may be imagined from a single instance in the sixteenth century. A certain Prior—afterwards Bishop of Moray—once had a pleasant conversation with his gentlemen regarding the number of their mistresses, and chuckled in glee over the fact that, though the youngest man present, he had outdone them all. He rejoiced in twelve mistresses, of whom seven were the wives of other men. His achievement paled before that of Cardinal Pier-Leone, who used to make his visitations as Papal Legate accompanied by a concubine and by his children—who were also his sister's.

Horrors like these were, it may be hoped, exceptional, but there is a vast mass of evidence proving that society as a whole, and the clerical element in particular, was morally in a condition that can scarcely be matched in history. A French writer of the nineteenth century, Abbé Helsen, alludes to the "ordinary custom" that when a priest's servant "becomes pregnant and cannot be saved by a prudent absence he dismisses her, and

takes another, perhaps younger and more attractive."¹ In many convents the nuns abandoned themselves "to the most hideous licentiousness—those who were good-looking prostituting themselves for hire; those who were not so fortunate hiring men to gratify their passions, while the older ones acted as procuresses."² In Spain, according to Pelayo, a fourteenth-century writer, the illegitimate children of priests were almost as numerous as those of the laity. Of Avignon, Petrarch says that "chastity was a reproach and licentiousness a virtue." The aged priests were fouler in their wickedness than the younger, while with the Pontiff the vilest crimes were pastimes. And Petrarch claims to tell only part of the truth. Of all European countries the same story is told. Details concerning the French clergy of the eighth century are "unfit for publication" in the twentieth. In nunneries infanticide was common, and priests had to be forbidden to have mothers, aunts, or sisters living in their houses. The Archdeacon of Salzburg in 1175 lamented bitterly his complete failure to reform the clergy or prevent the ordination of priests who continued to live in adultery with the wives of other men; while four centuries later the German prelates were vigorously assailed for allowing such foulness as still existed in the Church. They excused themselves by pointing to the example set by the Pope. A specially culpable Spanish priest was charged in 1535 with blasphemy, theft, cheating, seduction, brothel-haunting, and other offences. He did not go unpunished. He was fined two ducats, the costs of his trial, and thirty days' seclusion! A protest was made by the Senate of Rome in 1538 against the reforming efforts of Pius V on the

¹ H. C. Lea, *History of Sacerdotal Celibacy*, vol. ii, p. 347.

² *Ibid*, p. 319.

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ground that the compulsory celibacy of priests would make it impossible for the citizens to preserve the virtue of their wives and daughters. Peter Cantor and others in the twelfth century deplored the moral superiority of the laity; the same thing had been said in England as far back as the times of St. Dunstan; and the Beggars' Petition of 1535 showed that the anomaly still existed more than four hundred years later.

It has been hinted that the Church made earnest efforts to reform its own members. But this is true only so far as its reputable heads were concerned. Marriage at its best had a taint of sin; its violation was a trifle; but the fulfilment of religious vows and observances was an obligation to which everything else must yield. To St. Peter Damiani marriage was a "frivolous and unmeaning ceremony"; an irregular celebration of Mass was a "horrible crime." Sexual licence was a necessary evil, of much less importance than an infraction of ecclesiastical laws. Virtue indeed was dangerous when women were occasionally burnt because they refused to become the victims of priestly lust.¹ So late as 1801 it was argued in a tract published at Warsaw that marriage is incestuous and schismatic, and therefore worse than simple licentiousness.² Six centuries earlier the German Church had been described by Pope Gregory as "abandoned to lasciviousness, gluttony, and all manner of filthy living," the clergy "committing habitually wickedness which laymen would abhor."³

But the Church did its utmost to stamp out the evil! It did nothing of the kind. Its attempts to reform its servants were occasional, mischievously lenient, and

¹ L. Tanon, *Histoire des Tribunaux de l'Inquisition en France* (1893), pp. 290, 306.

² Lea, *Inquisition of Middle Ages*, vol. ii, p. 344.

³ *Ibid*, p. 330.

sometimes insincere. Priests, being human beings, were not naturally worse than other human beings. But they formed part of a system which heaped upon them every kind of privilege and exposed them to every variety of temptation. A Bishop of Lausanne who in the thirteenth century tried his hand at reform had to flee for his life; another Bishop in Rome was murdered. In fifteenth-century Germany the Bishop of Paderborn strove desperately for seven years to purify the monasteries. After various attempts had been made to poison him, he was compelled to give up a task which the example of the Vicar of Christ made hopeless. Similar efforts made by St. Charles Borromeo in Milan ended in his failure and narrow escape from martyrdom. In England Cardinal Wolsey's attempt to enforce a reforming Bull from Rome was frustrated by the notoriety of his own vices. The clergy in the public estimation were given over to a reprobate mind; not only were they immoral, but they squeezed from the people the money which the Pope exacted from them. In 1529 a bill was passed in the House of Lords for the reformation of the clergy, who showed their appreciation of it by a determined opposition.

According to Dean Milman, clerical depravity was general in the thirteenth century throughout all the principal European countries. A remarkable number of ecclesiastics were accused at the visitation of the Archbishop of Rouen in 1248 and 1249, but the tenderness of the Church was satisfied with light punishments, or no punishment at all, for serious crimes, while the imaginary sins of the heretic were visited with the most painful of all forms of death. Nor did the Archbishop's rigour extend to the worst offences of the lower clergy. Milman refers to the case of the Bishop of Liège, who at a public banquet boasted that in less than two years

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he had had fourteen children.¹ It is related that when it was decreed that priests should dismiss their concubines Pope Innocent ordered the command to be withdrawn, as there was no sin in doing what was done by all priests.² In the thirteenth century the Council of Ratisbon lamented the scarcity of priests who led good lives, and so late as 1832 the Archbishop of Malines found it necessary to make a similar complaint.³

Not only were the Church's thunders ineffective because the higher clergy could escape them, but the reasons for them failed, even in the Middle Ages, to command universal assent. Sin was condemned rather because it violated an ordinance than because it broke a Divine law, or because it injured society. Some canons of 1476 protested against crimes, not because of their wickedness, but because they might deprive the clergy of the privilege of exemption from the Bishops' jurisdiction. A scuffle between three priests over a harlot that took place in a house of ill-fame was reprehended, not because of its disgraceful nature, but because it occurred on Ash Wednesday. The solicitation by priests of female penitents was a serious matter for the holy men if committed during the actual confession, otherwise it was a trifle. It was more convenient to punish the women. As late as 1707 the Sorbonne decided that if a woman insisted on denouncing a guilty priest she committed a mortal sin. Usually the Church contended that the personal character of the priest had nothing to do with the sanctity of his office—a doctrine of which unscrupulous men took full advantage. Thus was evolved a standard of morality which bore no relation to moral truth, and readily lent itself to perversion.

¹ Milman, *History of Latin Christianity*, vol. ix, p. 36.

² Lea, *Inquisition*, vol. iii, p. 644.

³ *Ibid*, vol. ii, p. 346.

For many hundreds of years the Church was an open sore, which made thought a crime, purity an eccentricity, and progress a dream. From this festering mass heresy was born, crucified, and rose again.

CHAPTER II

A CRUSADE AGAINST CHRISTIANS

HERESY in the Middle Ages differed in some respects from the heresy of the earlier years of Christianity. It was less confined to scholars and theologians; it originated among the people, who—poor, oppressed, and helpless—turned in vain to the Church for assistance. And, instead of being concerned with subtle points of theology, it was inspired mainly by the iniquities of the ecclesiastical order. Simple men felt, by a wholesome instinct, that an immoral life was inconsistent with the function of leading them in the way of righteousness, and some of these simple men began to inquire whether everything taught by the priesthood was really true. This was one of the reasons why the lives of heretics were generally purer than the lives of their oppressors. The mighty of this world persecuted the heretic; the secular courts were severe, the ecclesiastical tribunals were severer still; the main stream of public opinion ran strongly against all innovation in religion. It is not, therefore, to be supposed that the heretic became a voluntary outcast from a love of danger, or for the sake of enjoying the pleasures of sin for a season. The highest authorities in the Church admitted that heresy was caused, though not justified, by the scandalous lives of her ministers. When slaying heretics the Church should have remembered that the chief culprit was herself.

Sharp controversies as to the efficacy of the Mass arose about the middle of the eleventh century, and on

this subject the Church showed some vacillation. Its official doctrine was that the virtue of the sacrament did not depend upon that of the ministrant. The contrary was, however, asserted by Pope Nicholas II, and the Synod of Rome adopted a canon forbidding any one to be present at a mass celebrated by a priest known to be of loose morals. Gregory VII's revival of this canon produced great confusion, for virtuous priests were rare exceptions. Against the official views the heretics consistently protested, but hundreds of years elapsed before the professions and the conduct of the clergy were brought into something like agreement.

In the South of France heresy, mainly of a Manichean or dualistic type, took firm hold, probably because the great progress which had there been made in civilization favoured independence of thought and a certain indifference to the claims of sacerdotalism. St. Bernard (1060-1153) may, like some other writers, have exaggerated the evil condition of the Church, but it must have been under a cloud when he could write thus of the Toulouse district: "The churches are without people, the people without priests, the priests without the reverence due to them, and Christians without Christ.....Men die in their sins, and their souls are hurried to the dread tribunal neither reconciled by penance nor fortified by the Holy Communion. The little ones of Christ are debarred from life, since baptism is denied them. The voice of a single heretic silences all those Apostolic and prophetic voices which have united in calling all the nations into the Church of Christ."¹ Heretics appeared, founded sects, flourished for a time, and were ultimately silenced. Henry of Lausanne, Arnold of Brescia, and the far more influential Peter Waldo of Lyons, from whom the famous

¹ Lea, *Inquisition in Middle Ages*, vol. i, p. 70.

sect of Waldenses took its rise, asserted that the power of absolution belonged alone to good men, that the ministrations of sinful priests were invalid, that the sacrament of penance was not the prerogative of the clergy. They rejected indulgences and transubstantiation, forbade all oaths and all means of self-defence, and held that every lie was a mortal sin. These principles would have reduced the Church to poverty and purity, both equally unwelcome. Most of the heretical sects held such strict views of sexual relationships that there is probably very little foundation for the charges of immorality which were freely brought against them. In an extremely loose age they doubtless fell something short of the moral ideal, but they were at least considerably nearer to it than their persecutors. In the following terms an Inquisitor testifies to their good conduct: "Heretics are recognizable by their customs and speech, for they are modest and well-regulated. They take no pride in their garments, which are neither costly nor vile. They do not engage in trade, so as to avoid lies and oaths and frauds, but live by their labour as mechanics—their teachers are cobblers. They do not accumulate wealth, but are content with necessities. They are just, and temperate in meat and drink. They do not frequent taverns, or dances, or other vanities. They restrain themselves from anger. They are always at work; they teach and learn, and consequently pray but little."¹ This remarkable purity of life brought upon these poor people the full fury of persecution. Virtue was an indication of heresy, and one priest whose exhortations had weaned women from vain adornments ran a serious risk of being burnt as a heretic.

The system of dualism known as Manichæism, a

¹ Lea, *Inquisition*, vol. i, p. 85.

peculiar mixture of Oriental and Christian elements, became popular through the influence of the Cathari ("the pure"), who, even according to the testimony of their enemy St. Bernard, lived a good and harmless life. The Church, however, recognized no religion as true but its own, and the rapid growth of Catharism stirred it to action of the most rigorous kind. All over Europe the heretics were becoming numerous and influential, but it was in the South of France, especially in the territories of the Counts of Toulouse, that the smouldering embers burst into flame.

In 1178 Pope Alexander III proclaimed the first crusade against Christians, which resulted in failure. Early in the thirteenth century matters came to a climax. In an address to the Lateran Council Innocent III had plainly asserted that "the corruption of the people has its chief source in the clergy"; but, fearless as he was, he hesitated to attempt the cleansing of the Augean stable, and adopted the simpler method of trying to rid Christendom of the heretics who troubled its serenity. Despite their active missionary labours, they lived with their orthodox neighbours in a tolerant and friendly spirit, of which the Church bitterly disapproved as being fatal to its exclusive claims. Papal emissaries succeeded in getting the civil authorities, and afterwards the Count of Toulouse, to promise the expulsion of heretics; but the promises remained usually a dead letter, and the strength of the heretics was shown by the fact that the tables were turned on the Bishop of Carcassonne, who was expelled from the city for reprimanding his heretical flock. A threatened crusade and vigorous mission work having also failed, Count Raymond VI of Toulouse, one of the most powerful princes in Europe, was excommunicated. He made peace, and the curse was lifted; but he failed to see the importance of the Papal point of view, and

obeyed it as little as possible. Unfortunately, the murder, in January, 1208, of the Papal Legate, Peter of Castlenau, by a gentleman of Raymond's court, gave the Pope a pretext for sterner action. Raymond was accused of being party to the crime (he was probably innocent), and was excommunicated with greater solemnity than before. He submitted, and, after being soundly flogged, was absolved.

This murder formed one of the principal reasons for the great crusade which the Church was determined to go on with, though the Count's submission had deprived it of the official excuse. The passions of the bigoted and the mercenary were successfully appealed to, and the most appalling campaign in history was begun under the furious stimulation of the Papal Legates. It was proposed to the inhabitants of Bezier that if the chief heretics were expelled or given up the town would be spared. To the special honour of the Catholic inhabitants, who lived in entire peace with their heretical fellow townsmen, the two parties made common cause and refused the terms, whereupon the town was stormed in July, 1209, and about 20,000 of the people massacred. In August Carcassonne, a fortress of immense strength, was surrendered to the crusading army commanded by the elder Simon de Montfort, Earl of Leicester. By the end of the autumn 500 towns and castles had been wrested from the grasp of the heretics; and, considering their task almost completed, several of the leaders withdrew, and the army was reduced to a small force obliged to maintain itself by partizan fighting.

In the spring de Montfort was reinforced and captured many more towns, the inhabitants being offered the choice of submission to Rome or the stake. Hundreds of obscure enthusiasts embraced the heroic alternative, often cheerfully leaping into the flames of their own

accord. At Lavaur in May, 1211, as many as 400 heretics are said to have been burnt in one vast pyre, and the moral sensibilities of the age may be estimated from the statement that this dreadful spectacle caused great rejoicing among the Crusaders. The slackness of Count Raymond in persecuting his subjects was not pleasing to the Church, and he was summoned to purge himself from the suspicion of favouring heresy, and to submit unreservedly to the Pope's demands. He presented himself in the Church of St. Gilles, Toulouse, with his guarantees in the confident hope of full reconciliation, and was then told that, having neglected to fulfil his promises to extirpate heresy, his submission could not be received. The facts that the promises had been forced from him, and that it was beyond his power to give them full effect, were not taken into account. Raymond's bitter tears, instead of arousing pity, were regarded as further proof of his depravity, and renewed abasement led only to the infliction of harsher terms. His capital city, Toulouse, was besieged in 1211, but offered so vigorous a resistance that the Crusaders received a serious check, and a fresh excommunication was hurled at the unfortunate Raymond for "persecuting" the soldiers of the Cross. The military abilities of de Montfort, however, won so many successes as to arouse the alarm of Pedro, King of Aragon; and the Pope, remembering that Raymond had never been tried and condemned, began to suspect that there might, after all, be some injustice in depriving him of nearly the whole of his territory. His promise that the Count (who was an independent Prince) should receive a fair trial was broken, in consequence of innumerable letters written by Bishops enlarging on the benefits which had already resulted from the Crusade, and urging its vigorous prosecution. Pedro at length declared war against de

Montfort, advanced to the support of Raymond and his friends, and laid siege to Muret, ten miles from Toulouse. Here a battle took place, with disastrous results to the better cause. Pedro's army was utterly routed, with a loss of from 15,000 to 20,000 men, that of de Montfort's forces being only twenty. If these figures are correct, this must have been one of the most remarkable victories on record. The Crusaders saw in their triumph a visible mark of God's approval of their cause, the prosperity of which increased daily. Fresh hordes of Crusaders, greedy for plunder, swarmed into the fair provinces of the south; their conquest was completed in 1213; Raymond was deposed, and de Montfort made lord of the land, the territories in the Rhône district of South Eastern France being held by the Church for the benefit of the younger Raymond. The youth, then only eighteen years of age, went thither in 1216, and was received with acclamations. All the south of France rose in revolt, and while de Montfort was engaged in successfully subduing it he was suddenly recalled West by tidings that Toulouse was again in rebellion. He began the second siege with his usual vigour, but one summer day in 1218 was killed by a stone hurled from a mangonel worked, it is said, by women. His conquests went to pieces in the hands of his incapable son Amauri, who, six years after his father's death, assigned all his rights to the King of France, and Raymond was confronted with another powerful enemy. With the Pope he made terms that amounted to complete submission. Even this did not seem to the Church sufficient compensation for his lack of zeal in the prosecution of heresy, and in 1226 another crusade on a great scale was organized, ostensibly for religious, but still more for political, reasons. King Louis VIII marched to the south with a large and splendid army, and laid siege to Avignon. Surprised by the strength of its resistance and

ill provided with food, he was about to abandon the siege when the city surrendered. Louis's march on Toulouse was broken off for reasons not fully known, and he retired from the campaign, dying of sickness in November, 1226, when on his way home.

In the following year the war went on with varying fortunes, and towards its close both sides were anxious to terminate a conflict which had lasted for nearly twenty years. Two years later Raymond agreed to hard and humiliating terms, which involved the loss of two-thirds of his great dominions, their reversion to the King of France, and an oath to persecute heresy to the utmost of his power—concessions wrung from him by the distracted condition of his realm and of his unfortunate people. The way was left open to the Church to reap the fruits of victory, and the Inquisition was set to work among the people who for so long had bidden it defiance.

Religious Persecution.

To what extent the spirit of persecution is sanctioned by the New Testament is not very easy to determine. Giving all due weight to its gentler precepts, it is unhappily true that passages which reflect more than a tinge of the temper of intolerance are to be found with some frequency in the New Testament, and very many injunctions to extreme severity in the Old. It was inevitable that in rude ages the latter should exert a more potent influence on human conduct than the former, because they harmonized more completely with the existing tendencies of human nature.

Until Christianity became the State religion of the Roman Empire the persecuting spirit wrought comparatively little harm. When the Church was weak it perceived the blessings of toleration; when the Church

grew powerful it held toleration to be sinful. Even Constantine's severe edicts do not appear to have resulted in much actual persecution, the few cases which occurred in the fourth century being looked upon as horrifying novelties. After that, however, the systematic repression of heretical opinions became general, and was warmly advocated by even the holiest doctors of the Church. Chrysostom and Augustine taught that heresy must be suppressed, but did not recommend the infliction of death. Jerome heartily approved the heretic being made to suffer corporal death in order to secure the eternal welfare of his soul, and the harsh laws of Theodosius doubtless represented a public opinion which was ever becoming more rigid and dangerous. It is somewhat curious that outrages upon the heterodox were, until the twelfth century, committed more frequently by "orthodox" mobs than by the ecclesiastical authorities—a fact which does not indicate a very effective teaching influence on the part of the Church. When, at Cologne in 1145, some Cathari were burnt despite the opposition of the clergy, St. Bernard, though arguing that they should have been won over by reason, quoted, with some inconsistency, St. Paul's dictum that the monarch was the instrument of God's wrath upon him that doeth evil.

The duty of the Church remained uncertain till about the close of the twelfth century. The incalculable mischief caused by certain passages in a book believed to be Divine is exemplified by the decree of Lucius III in 1184, which ordered heretics to be delivered to the secular arm for punishment, and expressly quoted John xv, 6, as authority for the infliction of death by fire. It "commanded that all potentates should take an oath before their bishops to enforce the ecclesiastical laws against heresy fully and efficaciously. Any refusal or neglect was to be punished by excommunication, deprivation of

rank, and incapacity to hold other station, while in the case of cities they were to be segregated and debarred from all commerce with other places. The Church thus undertook to coerce the sovereign to persecution. It would not listen to mercy, it would not hear of expediency. The monarch held his crown by the tenure of extirpating heresy, of seeing that the laws were sharp and were pitilessly enforced. Any hesitation was visited with excommunication, and if this proved inefficacious his dominions were thrown open to the first hardy adventurer, whom the Church would supply with an army for his overthrow."¹

Burning alive was first legalized in 1197, but it was the Albigensian Crusade which afforded the earliest opportunity on a great scale for the working out of the principle of religious persecution. This principle was gradually embodied first in the canon law and then in the secular law of Europe. The Inquisition codified and collated the various enactments into a logical system, which, having behind it the united authority of Church and State, became an irresistible engine of terrorism and tyranny.² The suppression of heresy was, indeed, the paramount duty of every Christian to the full extent of his power. No matter who was the guilty party—father, son, husband, wife, or sister—each must be denounced for concealing heresy; there could be no excuse. "It was an absolute rule that faith was not to be kept with heretics. As Innocent III emphatically phrased it, 'According to the canons, faith is not to be kept with him who keeps not faith with God.' No oath of secrecy,

¹ Lea, *Inquisition of Middle Ages*, vol. i, p. 225.

² The organization of the Medieval Inquisition was practically the same as, though less efficient than, that of the Spanish institution, which is explained in the author's *Spanish Inquisition*.

therefore, was binding in the matter of heresy, for if one is faithful to a heretic he is unfaithful to God.' " ¹

With teaching of this sort drilled into an ignorant and obedient people, it is not surprising that the popular prejudice against religious innovations was strong enough to make life in general very unpleasant for any one who had a taste for independent thought. In our own day all Reformed Churches unite in disclaiming the idea of persecution, but the Church of Rome still accepts as its greatest authority St. Thomas Aquinas, whose language on the subject is clear. To him heresy was the greatest of all sins, and its repression was more than defensible—it was a duty. To corrupt the faith is a greater wickedness than to debase the coinage, and if coiners are executed much more should heretics be. In its great charity the Church pardons the repentant heretic once, or perhaps twice; but if he sins again he is not to be released from the penalty of death. This became the settled policy and the unalterable practice of the Church. Even the dead heretic was not allowed Christian burial, and, if he had been favoured with it by mistake, the body was dug up and burned, and the grave remained for ever an accursed spot. In times of ignorance this sort of thing paralyses people with terror, and renders them an easy prey to the most absurd and debasing superstitions. This universal dread of the unseen was ably and thoroughly exploited by the Church of Christ.

¹ Lea, *op cit*, vol. i, p. 228.

CHAPTER III

THE FOUNDING, CONSTITUTION, AND PRACTICE OF THE INQUISITION

IT is extremely doubtful whether Dominic actually founded the Inquisition, for as an organization it did not exist till ten years after his death. He was, however, an Inquisitor in all but the possession of full judicial powers. There was, in fact, no formal founding of the Holy Office; it simply grew by degrees out of the social and religious conditions of the early thirteenth century. Nor was it exclusively confided to the Dominican Order, but, as that was the most intolerant and the most zealous in heresy-hunting, its members were, from the outset, more closely associated with that occupation.¹ Commissions were frequently entrusted to the Franciscans also, but most of the early Inquisitors were Dominican monks. The jealousies and quarrels between the two Orders which their holy labours occasioned were so frequent as to be a source of scandals in the Church, which threatened to last for ever.

Under ecclesiastical tuition the people of Europe had, during the twelfth century, developed, in what passed for religion, a spirit of rancour that went beyond even the cruel legislation of the time. Heresy had previously been detected mainly by means of ordeals, but these were found to be somewhat unreliable in the matter of results. The Bishops, under the authority of the State,

¹ At a later date the Dominicans became known as *Domini canes*, or "dogs of the Lord."

had usually controlled the proceedings, but they had now grown sluggish and lax, and their machinery had become rusty. Pope Alexander III, in 1179, "invited sovereigns to employ force of arms and protect Christian people from the violence [!] of the Cathari," and "offered indulgences to those who should accomplish this work of piety."¹ The decrees of Lucius III in 1184 might, had they been put into effective operation, have resulted in an episcopal instead of a Papal Inquisition. [Not only were rulers bound by oath to assist the Church in rooting out heresy, but all prelates were compelled to visit towns and villages, to call the people together, and take evidence as to the existence of suspected heretics. The Bishops were, indeed, by virtue of their office, Inquisitors also,² but of so lukewarm a description that a sterner organization was deemed necessary.

Thus the ancient civil and canon law furnished the basis of the Inquisitorial procedure, and the first detectors of heresy were the laymen of each locality, with whom priests were afterwards associated. For various reasons the Bishops, as a body, proved unequal to their task; trained experts were needed, and the Church was impelled to action both by the force of public opinion and by the logic of its dogmas. The hands of the Church were strengthened by a secular legislation which recognized a gigantic evil, but failed to combat it with vigour and uniformity. Under the presidency of Pope Innocent III, the Lateran Council of 1215 framed a number of severe regulations, but did not succeed in getting them consistently enforced. From 1220 to 1239, therefore, Rome elaborated a series of enactments, based on the Lateran

¹ Hastings, *Encyclopædia of Religion and Ethics*; art. "Inquisition."

² Addis and Arnold, *A Catholic Dictionary*; art. "Inquisition."

regulations, which amounted to a complete system of persecution. The chief of these enactments was Gregory IX's Bull of 1231, under which suspected persons were required to prove their innocence or lose their civil rights. Very trivial circumstances, even such as a pale face, were enough to arouse suspicion. Heretics were to be outlawed, and, when condemned, to be burnt, all their property being in that case confiscated and their heirs disinherited. Their houses were to be destroyed, and never rebuilt. The evidence of a heretic was not to be received in a court of justice *except against another heretic*. All rulers and magistrates had to swear, not that they would do justice, but that they would exterminate all heretics. The lands of nobles who favoured the unorthodox were to be forfeited. Every thinker was in a permanently tight corner. Refusal to submit to ecclesiastical authority was the greatest of sins. The Papal zeal for reform took a peculiar shape when it established the Inquisition.

The whole Church hailed these savage laws with joy, and they soon became a terrible reality. The fact that secular Inquisitions were established in Sicily during the same year shows that public opinion was too strong for even a royal Freethinker like Frederick II to resist, though he was reproached with occasionally burning Catholics instead of heretics—not a very common miscarriage of justice. A commission issued in 1227 may be taken as giving the Inquisition a start. Its tone and its provisions are somewhat indefinite, but it led in a short time to the selection of suitable priests to undertake the duty of detecting and examining heretics, and this remained a permanent feature of the Inquisitorial system. The round holes were provided with round pegs.

At the time, however, there seems to have been little thought of a permanent system which should take the

place of the Bishops' jurisdiction. The basis of the persecuting body was more thoroughly settled at the Council of Narbonne in 1244, when the control of heresy was surrendered by the Bishops to the Inquisition, with the prudent proviso that the prelates reserved to themselves the pecuniary results. This transfer was not everywhere made complete, for even after that date many Inquisitors recognized the authority of episcopal tribunals, and in 1273 Gregory X also admitted their supremacy. Evidently the Holy Office was long regarded as a temporary expedient, and every Pope had renewed its charter.

In May, 1252, Innocent IV issued his famous Bull *Ad Extirpanda*, which was a complete exposition of the laws against heresy, and set up the machinery for its detection. In addition to all the known regulations, it laid down further provisions binding all rulers to outlaw heretics and empowering any one to seize suspected persons and take possession of their goods (being thereby entitled to a share of the proceeds). This vigilance was rewarded by exemption from public services and by freedom of personal action. Every one, including all State officials, was bound to give assistance; men of good repute had to be sworn to reveal anything they knew, or suspected, of any person in their district. The State was responsible for the seizure of heretics; it was commanded to execute judgment against them and to torture those who would not confess and betray their accomplices. Lists of suspected persons were to be made out and read in public three times a year, and copies given to the Bishops, the Dominicans, and the Franciscans.

The provisions of this Bull were strictly enforced, and it is significant of the state of public opinion that it aroused no effective resistance. By a later Bull of 1265, Pope Urban IV confirmed its instructions, and made the Inquisition supreme in all countries. It became a maxim of

law that all statutes which interfered with the Inquisition were void and their authors punishable. The Holy Office had a free hand, and was not liable to excommunication in the discharge of its sacred duties, or to suspicion by even a Papal Legate. Nicholas IV gave a finishing touch by making the Inquisitors' commissions perpetual. Bishops were not liable to be judged by Inquisitors, but nevertheless had to obey them, and, though at times they tried cases of heresy in their own courts, they were compelled to allow an Inquisitor to take part in the sentence.

Popular feeling, it is true, occasionally revolted against this tyranny; but, as any one who in any way opposed the Inquisition was thereby excommunicated, the resistance was easily and remorselessly crushed. The tenacious memory and sleepless vigilance of the Inquisition hunted out persons who years before had said a kind word to a heretic, or sent a copper to a sick person under suspicion. Public confidence was destroyed by the general dread that a careless word might ruin a man; that stories might, unknown to him, be circulated about him and come to the Inquisitors' ears; that an enemy might secretly and safely gratify an old grudge, until at last poor wretches would inform against others rather than be themselves betrayed.

It was a rule of the Inquisition that all testimony should be taken down in the presence of two impartial persons unconnected with the institution, but sworn to absolute secrecy. This precautionary act of justice was soon disregarded, and the bulky documents of the Inquisition were generally held to be unworthy of trust. In some of the revolts against its tyranny the populace were careful to destroy the records, for it was well known that the Inquisitors had an unpleasant habit of discovering among them facts damaging to those whom they desired to injure.

As if the Inquisitors themselves were not dangerous enough, they were allowed to employ a swarm of hangers-on known as Familiars (by a pleasing fiction they became part of the family), who were permitted to carry the arms denied to ordinary civilians, and who enjoyed immunities and powers which they abused with the utmost freedom. For the most part they were a rabble of unruly ruffians, who squeezed money out of people under the threat of accusing them of heresy or of impeding the Inquisition in its beneficent duties. Any restriction in the number of these rascals was resented as unlawful; but the State did sometimes, as at Venice in 1450, succeed in reducing their numbers. They were wholly unnecessary, as the Holy Office could command the services of the State, as well as the assistance of the clergy and of the civil population.

As a precaution against miscarriages of justice, there was held at irregular intervals an assembly which finally determined the fate of accused persons. At these gatherings learned Bishops were supposed to be present in order to give the Inquisitors the benefit of their advice, but they were so little zealous for popular rights that it became a practice for an Inquisitor to represent one or more Bishops. It was doubtful whether the Inquisition ought to obey the finding of the court, and the occasion became a mere form, from which the episcopal co-operation was frequently absent. Sometimes a number of sentenced persons remained in gaol, and were added to from time to time, so that the *auto dé fe* could be made more impressive. At one of these ceremonies held in Toulouse in 1310, out of 108 persons sentenced 18 were burnt alive. In the previous year one unfortunate had hit upon the expedient of voluntary starvation. The Inquisition had a more effective retort than forcible feeding; its preparations were hurried on,

and the solitary victim was burnt, a similar case occurring four years later. Very seldom did any one escape by flight from the clutches of the Holy Office. Its agents were everywhere, its jurisdiction had no limits, a complete network of private information existed, and flight was a sure presumption of guilt. A boy of fifteen, sentenced after two years' imprisonment to wear the crosses which indicated his punishment, at length threw them off, and worked as a boatman on the Garonne. He was discovered, cited to appear, and in default was excommunicated and condemned as a heretic in an *auto* of 1319. Two years later he was arrested, escaped, was recaptured, and finally sentenced to imprisonment on a diet of bread and water. His original crime was that he, a mere boy, had "adored" a heretic at the command of his father.

The Inquisitorial Method.

The duty of the Inquisitor was the detection of heresy—that is, to ascertain the secret thoughts of the accused. External acts were of consequence only as they indicated a particular frame of mind. This was a task possible to omniscience only, but the Inquisitor willingly undertook it, preferring to sacrifice a hundred innocent persons rather than let one guilty person escape. The safeguards of justice were nominal; it was found convenient to assume guilt from the outset. In the secular courts there were a few provisions which gave an accused some faint chance of obtaining justice; but these, under the pressure of the Inquisition, gradually fell into abeyance. Even death was no escape so far as the culprit's property was concerned. At Ferrara the Bishop and the Inquisitor squabbled for thirty-two years over the remains of a heretic, and in 1313 a Florentine family found them-

selves the victims of a prosecution brought against an ancestor who had died sixty-three years before.

Delation was an indispensable and certainly very useful feature of the Inquisition's procedure. A woman of Toulouse in 1254 furnished a list of 169 persons incriminated by her, and all the names, with addresses, were carefully noted for later use. Each of these persons would be persuaded to supply further names, and so the Inquisition's net was constantly growing larger. To give information against others was the truest sign of repentance, and the Inquisitors were untiring in their efforts to secure it. In order to elicit confession every conceivable means were employed: if kindness seemed to promise the best results, kindness would be shown; an emissary would visit the prisoner's cell urging confession and promising mercy—with the mental reservation that severity was the truest mercy to a heretic. Sometimes a man's wife and children were permitted in his dungeon that they might work upon his feelings. On occasion protracted delay was used to break the prisoner's spirit; he would be tried, receive no definite sentence, and be left in gaol perhaps for many years. Thus a woman who was imprisoned and confessed in 1297 was not formally sentenced for thirteen years, while at Carcassonne a man made his confession in 1321 after an imprisonment of thirty years.

If, on the other hand, it was thought desirable to hasten the sinner's repentance, the confinement was made so terribly harsh that it frequently brought about the result desired. Torture had not been greatly employed in the earlier half of the thirteenth century, but Pope Innocent's Bull of 1252 expressly authorized its use by the secular authorities to discover heresy. The secular courts were slow to adopt it, but its rapid extension by the Holy Office showed how useful it was. Although

not frequently mentioned in the records, various indications prove that it was freely employed. Not only accused persons, but witnesses whose statements appeared doubtful or unsatisfactory, were put to the torture; and the Inquisition had an ingenious way of manufacturing witnesses, for a person who had confessed his own offence would be treated as a witness to the guilt of others, and was tortured to betray them. Confessions made under torture were subject to confirmation; if they were not confirmed, but denied, the accused was treated as an obstinate impenitent and perjurer, and handed over to the secular arm.

Evidence.

Lea remarks that "the matter-of-course way in which rules destructive of every principle of justice are laid down by men presumably correct in the ordinary affairs of life affords a wholesome lesson as to the power of fanaticism to warp the intellect of the most acute."¹ Such rules as there were for the protection of accused persons were systematically set aside, and the lives of even devout Catholics hung on the merest trifles and technicalities. A new crime termed "suspicion of heresy" was invented, and of this three degrees were formulated—light suspicion, vehement suspicion, and violent suspicion, all of which offered ample scope to inquisitorial ingenuity. A merchant found it a dangerous civility to bow to acquaintances who, unknown to him, were heretics. Two witnesses were required to prove heresy, but at a pinch one was made to suffice, and if the one witness revoked testimony in favour of the accused his revocation annulled the evidence, while if the original testimony was adverse to the defence it was the

¹ Lea, *Inquisition*, vol. i, p. 430.

revocation that became void! The minimum age of witnesses was also liable to fluctuation. By the Italian civil law it was twenty years, but the Holy Office was not particular to a year or two, and a case is recorded in which the evidence of a boy of ten was accepted against his own family and sixty-six other people who had listened to a heretical sermon a year before. Wives, children, and servants could not testify in favour of an accused; against him their evidence was readily accepted. The only thing that disabled a witness was proof that he was actuated by mortal enmity against the accused; but, as the accused was kept in ignorance of the witness's identity, proof of this sort was made practically impossible.

Witnesses seldom refused to testify. If they did, the torture chamber generally induced them to reconsider the matter; in fact, an unlucky witness ran as great a risk as the defendant of an acquaintance with the rack or the pulleys. Nor was the secrecy of the confessional of much avail, for all priests were instructed to use every means in their power to induce confessions of heresy, and the results were conveyed to the tribunals in a judiciously indirect manner.

All these precautions, thorough and effective as they were, were not thought sufficient, and were supplemented by instructions to the Inquisitors that less evidence was needed to prove heresy than to prove any other crime. The crowning infamy of keeping secret the names of witnesses was a peculiarity of the ecclesiastical procedure, of which its administrators were a little ashamed; but the feeble protests of one or two councils were ignored. As a slight concession to justice the accused was, though rarely, shown a list of names, but without being told which of them applied to his own case; and also a witness would sometimes be sworn in the presence of the accused, but *examined apart*. On occasion the whole

of the evidence was withheld from the knowledge of the accused, and if a witness retracted his testimony the fact was not revealed to the interested party. In practice it was found best to leave all these details to the Inquisitors' discretion.

The field which all this secrecy opened to malice, slander, and perjury may be faintly imagined. Serious abuses in connection with the handling of evidence were exposed in the fourteenth century by conscientious Inquisitors themselves, and the fact suggests that an appalling amount of injustice remained undiscovered. The extraordinary rule by which a perjured witness was to be punished, but his testimony was to hold good, was a development that might have been expected from an organization bent on the manufacture of criminals. And, because it was fairly safe, perjury by witnesses for the prosecution was by no means uncommon.

The Defence.

The whole tendency of the Inquisitorial procedure was to afford as few opportunities as possible for an effective answer to a charge of heresy. Inquisitors were expressly ordered not to worry about legal forms, but to extract confessions. In the early part of the thirteenth century the accused was gratuitously allowed an advocate, but, as the lawyer entrusted with this delicate duty rendered himself liable to a charge of heresy if he showed zeal on behalf of his client, the office became little sought after, and the benefit inappreciable. In time the practice was more honoured in the breach than in the observance; and, as the Inquisition could deprive an advocate of his papers and put him in the dangerous position of a witness, it is doubtful whether his services were of much value, or, indeed, whether, in many cases, they were rendered at all. It was sometimes impossible to secure advocates,

and instances are known in which prisoners, in despair, declined to exercise their right to call for copies of the evidence against them. The Inquisitors then placed on record that the privilege had been offered and refused, without superfluous detail as to reasons. Denial of the accusation of heresy, or refusal to plead, rendered the person charged liable to torture or the stake. If the Inquisitors did happen to break the rules and expose themselves to appeal against their judgments, there were manuals available in which they were instructed in the numerous devices and deceptions by which they could escape responsibility. An acquittal never took place; the Inquisitors were expressly authorized to pronounce no one innocent, as it was always desirable to leave a loophole for future proceedings. The rare verdict, "Not proven," was the utmost length to which the mercy of the Holy Office would extend.

Sentence.

Strange though it may appear, what the Inquisition really wanted was the salvation of the sinner's soul, the appropriation of his goods being quite a secondary consideration. Its penalties were benevolently designed to wash away the stain of mortal guilt, and thus prepare him for a future state of bliss. Assuming the reality of this state, its enjoyments would certainly be enhanced by contrast with the heretic's earthly experiences. The exact condition of the soul, however, being difficult to ascertain, the chastisement of the body was believed to afford the most efficacious means of purification. Accordingly the Church, in its tenderness, did not condemn to death; it merely withdrew its protection from the unrepentant. It did not confiscate his property; all it did was to declare him guilty of a crime which rendered him incapable of holding property. If it imposed

a fine, it was because the proceeds were to be employed in works of charity, which, of course, included the upkeep of its own organization. The ultimate disposal of the condemned heretic could safely be left in the hands of the obedient civil power.

The Church must receive whatever credit may be due for its kindly intentions, though they sometimes worked out strangely. Almost always the heretic came off disastrously, but there were episodes of mildness for which it is not easy to account. When, at the end of the thirteenth century, an Inquisitor was murdered, the man who hired the assassins was merely ordered to present himself to the Pope and receive penance. Even his neglect to do this was visited by nothing worse than a mild order to arrest him if he could be found. We shall meet with more of this unaccountable clemency.

The light penances imposed by the Inquisition were Prayers, Churchgoing, Discipline, Fasting, Pilgrimages, and Fines. As punishments these penances do not sound excessive, but, as interpreted by the elastic discretion of the Holy Office, they could make a penitent extremely ill at ease, and when several were combined in one sentence life became a heavy burden. During a long pilgrimage a man's family might starve. In 1322 pilgrimages were imposed on three men who nearly twenty years before had seen some Waldenses in their father's house without knowing that they were heretics. Fines naturally gave opportunities for extortion which only exceptional men were able to refrain from using. As already mentioned, the Inquisition appropriated the property of all persons sentenced for heresy. A man who died in 1252, before completing a five years' pilgrimage, left an estate of twenty livres, and the Inquisitors promptly claimed the whole of this immense sum. Bail was simply another word for bribery, and extortion

became a system exploited to the utmost by men who were sleeplessly on the look-out for plunder.

The second grade of penance was the compulsory wearing of yellow crosses, sewn on to the clothing as an indication that the wearer had been condemned for heresy. This badge, which corresponded to the *san benito* commonly used in Spain, was so great a disgrace that efforts were constantly made to avoid it; but though, for special reasons, permission was sometimes given to dispense with it, usually it was insisted upon, and escape from the vigilant eye of the Inquisition was impossible.

Penance became far more severe in the third grade, which was imprisonment for life. A comprehensive penalty of this character was incurred by every one who did not come forward within the time specified by the Edict of Grace, confess his own sins, and denounce those of others. The Inquisition of Toulouse, between 1246 and 1248, records 192 cases, of which 127 were of perpetual imprisonment, 6 for ten years, 16 for an indefinite term in the discretion of the Church, and the remaining 43 were of absentees. The Council of Narbonne, in 1244, made the sentence invariably for life. The confinement was solitary; the diet consisted of bread and water, and in the harsher sentence the penitent was chained by the feet, sometimes by the hands as well, and, in extreme cases, to the wall of a dark, noisome dungeon. It is not surprising that prisoners did not attain a green old age.

The Inquisition reserved the right, in the exercise of its discretion, to mitigate or re-impose its penalties. This right was frequently used, especially in regard to the wearing of crosses; but seldom did the prisoner find his punishment any the lighter. If he had the unusual good fortune to be released, he might, for the slightest lapse, be punished again, and this time without mercy and without

the formality of a fresh trial. Every victim relinquished by the Holy Office was a ticket-of-leave man, liable at any moment to utter ruin. He could never feel sure that something might not be discovered, perhaps a youthful indiscretion of his grandfather's, which would require his appearance before the dread Tribunal, or that for some unguarded act or expression he might not bring himself under the most effective of all excommunications—that of the Holy Inquisition.

Confiscation.

By decree of Innocent III in 1215 and the Bull of Innocent IV in 1252, confiscation of the property of heretics and their children was made a necessary penalty, and all temporal rulers were required to enforce it. Of the proceeds one-third was to go to the State, one-third to the Papacy, and one-third to the Inquisition. Each party, as a matter of course, tried to cheat the others; but the wily Inquisitors almost invariably obtained the lion's share of the spoil, which was, nominally at any rate, devoted to the furtherance of their own method of propagating the Gospel. Between them the victim had as much chance of escape as a mouse in a trap. The Church had some difficulty in getting confiscation sanctioned by the State, but it succeeded.

The heretic was not permitted to dispose of his property, but if he did succeed in doing so the transaction was void; and, even though the property had passed through several hands, the last possessor was cheerfully deprived of it. As debts due to heretics and securities for loans by them were also void, business became almost impossible. Numerous complaints of the Inquisition's rapacity show that no possessor of property felt safe. It is not easy to understand how society could continue to hold together when a stimulus was thus

deliberately given to fraud, jealousy, quarrelling, litigation, commercial anarchy, and domestic misery. Possibly religious zeal was the original motive of the folly, but when persecution is made a paying concern the reins are given to greed and injustice of every conceivable kind.

Venice made a stand against ecclesiastical corruption, and in 1289 enacted that the whole proceeds of confiscation should go to the State; and in the latter part of the fifteenth century Piedmont adopted a similar course, allowing the Inquisition only its expenses.

A further abuse was that, from the beginning of its career, the Inquisition frequently made confiscations before the accused had been convicted, sometimes before he confessed. In 1319 sentence was passed in southern France on a man who had been charged in 1284, yet in 1301 the officials were quarrelling over his estate. These legal robberies were carried out with relentless severity, everything being seized to the last penny. On arrest for suspicion of heresy, the Holy Office took possession of a person's property, promising that if the charge was not proven (a rare event) some of it would be returned for the support of his family. In the meantime the family were turned into the streets to starve, or to live on such charity as they could get. The case of one secret heretic, Gherardo, a rich noble of Florence and consul of the city, was a bad one. Between sixty and seventy years after his death the Inquisitor of the city started a successful persecution against his memory, and eleven of his descendants, who were not heretics, were included in the condemnation, and presumably reduced to penury.

It was confiscation that kept alive religious persecution, because the heretics were ingeniously made to furnish the means for their own destruction, and when

all the heretics had been disposed of the languishing state of the Holy Office began to arouse real concern on the part of those who made good livings out of it. Confiscation of property for an assumed crime was one of the most effectual agencies for the destruction of civilization, and it is strange that Rome did not see the error of its ways when countries that had no Inquisition were increasing in prosperity and happiness.

Relaxation and the Stake.

It might be supposed that relaxation meant either release from custody or mitigation of punishment. The Holy Office, however, rose superior to verbal conventionalities, and defined the term to mean that the accused person should, after condemnation, be handed over to the civil power. It was equally well understood that the duty of the civil power was to burn him alive. The condemned was delivered to the magistrates with an appeal for mercy, which every one knew to be a transparent piece of hypocrisy. The Church was mainly responsible for these ferocious laws, and insisted on their being carried out, salving its conscience by giving out publicly that it had nothing more to do with the matter. Pope Boniface VIII embodied in the Canon Law rigid instructions for the punishment of those condemned by the Inquisition, and all magistrates who failed to carry out those instructions were cautioned to speak only in a general way of punishment, though the only penalty for obstinate heresy recognized by the Church was death by fire. Usually the civil authorities carried out willingly enough the behests of the Church, but they made occasional protests, and relaxation was not always treated as equivalent to death. Several of these protests are on record, but they were overruled, and the magistrates did their duty. Under the teaching of the Church the best

men of the time regarded heresy as a manifest crime and the burning of heretics as an act of righteousness.

Sham and enforced conversions were numerous, and resulted in a large number of relapses, which were punished mercilessly, though not always by burning. The definition of relapse became more and more difficult, and some Inquisitors were not disposed to bring every trifle under that category. Bernard de Caux and his successor, Jean de St. Pierre, usually condemned to imprisonment, and the latter frequently protested against the indiscriminate burnings inflicted by the civil authorities of Toulouse. It is indeed remarkable that burnings were not more numerous. Thus Bernard Gui, the celebrated Inquisitor of Toulouse, is said to have declared that between 1308 and 1328 he had put to death 637 heretics. It appears, however, from the records that this figure represents the total number of sentences passed by him; of these only 40 were of condemnations to the stake of living persons, and 67 more were of persons already dead and therefore not personally interested in the proceedings. Evidently the chief efforts of the Inquisitors were directed to the exaction of confessions, with, of course, confiscation of goods, rather than to create a host of martyrs, an occasional cremation being merely a salutary example. The Church was not slow to profit by the experience of the Inquisition, and its spiritual courts rapidly extended the use of torture and other methods of persuasion. Probably an even more disastrous effect was produced upon the civil law of Europe, the increased severity and flagrant injustice of which are largely traceable to the influence of the Holy Office.

CHAPTER IV

HOW THE INQUISITION OVERRAN EUROPE

The South of France.

THE Inquisition had uphill work before it in the South of France. There was plenty of heresy, but also plenty of popular sympathy with it. The Church's repressive powers were not fully organized, the clergy were unpopular, the Bishops looked with a jealous eye on the Inquisition, and the Papal commands to assist the Inquisitors were frequently disobeyed. The Dominican priesthood, however, was burning with zeal, and succeeded in so far inflaming the popular feeling as to be able to commit serious acts of persecution without episcopal protest. The notorious Inquisition of Toulouse was set up in 1233, and, although for some years the Bishops maintained their superior jurisdiction, the Inquisitors seized every opportunity to disregard it and act independently. A revolting case occurred in 1234, when a dying woman confessed her heresy to the Bishop of Toulouse under the impression that he was a heretic Bishop. She was carried off on her bed and burnt, and the Bishop was able to go back to an interrupted dinner and return thanks to God for his achievement.

The popular sentiment vented itself many times in risings and tumults, especially at Albi and Toulouse, but with only temporary effect, though in 1234 a civil war broke out in Narbonne which lasted for three years. Count Raymond of Toulouse (the seventh of his name)

was, like his predecessor, placed in a very difficult position between a persecuting Church and an angry people. His indifference to religion exposed him to the accusation of heresy, and, life being unbearable with the Church at constant enmity, he was compelled to persecute his own people, and his natural slackness in that unpleasant task kept him plentifully supplied with trouble. Bigotry was at that time less tinctured with financial greed than it afterwards became; the persecutors were mostly good men, whose sincerity brings into stronger relief the appalling results of their actions.

By about 1237 the Inquisition had established a definite supremacy over the Bishops, and reduced the terror-stricken people to obedience—a result to which the conversion of Raymond Gros, one of the heretical leaders, strikingly contributed. By the execution, two years later, of 180 Cathari at Montwimer, the heretical sect received a blow from which it never recovered. Count Raymond, however, actually succeeded in getting the Inquisition suspended in his dominions for three years, during which time his people were at least able to breathe; but by 1241 the Inquisitors, knowing the negligence of the Bishops and emphasizing to Rome the growing power of heresy, were able to resume active persecution. In that year occurred the death of Pope Gregory IX, one of the principal founders of the Inquisition, and for two years the Papal throne was virtually vacant. But the Inquisition had sufficient authority to proceed with vigour, and that it did so is shown by the large number of sentences and the speed with which the criminal list was got through. At the small town of Montauban, in one week of May, 1242, no fewer than 252 persons were sentenced for heresy—a plain indication that the infection was general. The punishments were mostly penances, but some of them involved real hard-

ship. Three pilgrimages—one of 500 miles—for eating at the same table with heretics was a severe return for a friendly action, and showed the need of carefully choosing one's company. These harsh penalties became so frequent that some localities were almost depopulated.

The massacre of a whole tribunal of Inquisitors and their Familiars in 1242, at a castle in the neighbourhood of Toulouse, was followed by war, in which Count Raymond was defeated; and his reconciliation with the Church marked the triumph of the Inquisition. A determined band of heretics threw themselves into the strong castle of Mont Ségur, and held out till 1244, when the place was captured by treachery and 205 men and women were cast into the flames. The energetic labours of the Inquisitors extended over half Languedoc, and some thousands of heresy cases were dealt with in the space of two years. Count Raymond, who had, in the latter part of his life, become a vigorous persecutor, died in 1249, and the Inquisition, relieved of its doubtful ally, had a halcyon time for the next twenty years. A more troublous period followed, for with the diminution of the power of great nobles, such as the Counts of Toulouse and Foix, that of the Crown became consolidated, and men began to turn to it for relief from the insufferable tyranny of the Inquisition. Opposition to its secret and arbitrary influence arose, not from heretics only, but also from good Catholics, who perceived that the land was being ruined, and whose humanity was outraged by the constant use of torture. With its superior concentration of purpose, the Inquisition fully held its own until, in 1291, Philippe le Bel, the King of France, ordered his officials to disobey the commands of the Inquisitors, except in the case of confessed heresy. Under threat of excommunication Philippe came to an understanding with the Pope which lasted for two years,

when the quarrel broke out afresh, and the Carcassonne Inquisition had to suspend operations for three months.

A case occurred in 1300 which illustrates the power of the Inquisition. The Pope, Boniface VIII, had sworn to burn all the inhabitants of Carcassonne, because one of its citizens had declined to bribe a Papal Cardinal when proffering complaints. Gastel Fabre, the man's father, who had died in 1278, was declared a heretic (the documents are believed to be forgeries); an ineffectual appeal was made, but the man's estates were confiscated, and so long after as 1329 the bones of his wife were exhumed by the vengeful Inquisition. The sharp quarrels which arose early in the century between the Franciscans and the Dominicans led to the powers of the Inquisition being in some respects curtailed, and thus brought about a slackening of persecution, which proved to be only temporary. A more decided check was experienced in 1308, when Pope Clement V and his Cardinals gave a judgment against the Holy Office, which was considered responsible for the evil condition of the South of France.

Certain reforms were outlined by the Council of Vienne in 1312, particularly in regard to the use of torture, the improvement of the loathsome dungeons of the Inquisition, and the conduct of its officials; but the restrictions imposed were evaded with the customary ingenuity, and soon became a dead letter. With the accession of John XXII to the Papal chair matters became easier for the Inquisition. In 1319 the esteemed Franciscan, Bernard Delicieux, the only man who had dared to offer consistent opposition to the Holy Office, was tried on numerous charges, tortured in spite of his advanced age, and condemned to degradation from Holy orders and life-long imprisonment in chains, with a diet of bread and water, in the prison at Carcassonne.

Under these severities his death in a few months relieved the Inquisition of a formidable enemy.

The reaction went on rapidly. The cities which had struggled against the Inquisition were reduced to subjection and public repentance in 1319, and the persecutors were at length free to reap the fruits of their victory. The Catharist leaders were sent to the stake, and the heresy became practically extinct. Its fate was not entirely unmerited, but the agency that brought it about must be wholly condemned. It had propagated a queer medley of doctrines, the anti-social effect of which was not fully perceived by their advocates, though the Church understood from the first how its privileges would fare if liberty of thought were allowed to the people.

In that beautiful, sunny land of Languedoc a civilization of splendid promise, reaching out far in advance of the age into civic activities, industry, art, and science, had been developed by an energetic and patriotic people. Unfortunately for them, their civilization was not of the ecclesiastical type, and the Church felt that it had a legitimate grievance. The Inquisition left Languedoc in ruins; it found a garden, and made it a wilderness. It descended upon happy homes, and left them in desolation and mourning. External unity of faith was achieved, but with it the moral debasement of the Church. By the unscrupulous, systematic, and long-continued abuse of power it gained a triumph for the evil effects of which no repentance can atone.

The moving finger writes; and, having writ,
Moves on: nor all your piety nor wit
Shall lure it back to cancel half a line,
Nor all your tears wash out a word of it.

The only good result of the Inquisition's activities was one which it never intended. In its greed for money it forgot an equally greedy and much more deserving rival.

The Crown, seeing how profitable persecution had become, at length exercised the right, when it possessed the power, to take the proceeds, and seized for more useful purposes the confiscations of heretic property. The estates of a ruined nobility were taken over by the king's officers, and the Holy Office unwittingly aided the consolidation of a secular power which in the end reduced it to a nullity.

Northern France.

In the year 1233 a relentless Dominican bigot named Friar Robert was appointed Inquisitor for Western Burgundy. This crazy fanatic raged through the north of France, burning large numbers of people. So notorious became his excesses that after some years his commission was withdrawn, and he spent the rest of his days in prison. Persecution was not greatly checked, for the intensity of the general feeling against heresy was such that even the saintly Louis IX declared that the only argument to use with a heretic was to thrust him through with a sword up to the hilt. In the hands of the Dominicans persecution went on vigorously all over France, then a much smaller country than now, and the zeal of the orthodox was frequently stimulated by Papal Bulls urging greater vigour. Milman relates a terrible occurrence in 1239, but does not state that it took place by order of the Inquisition. In the presence of the Archbishop of Rheims, seventeen bishops, and 100,000 persons, no fewer than 183 Manichæans were burnt outside the city of Rheims, and all of them perished without fear.¹ The right of asylum in churches was withdrawn from heretics in 1281 by Pope Martin IV.

Not until 1310, however, did the first formal burning alive by the Inquisition take place in France. The

¹ *History of Latin Christianity*, vol. v, p. 316.

Manichean holocaust, formal enough in a practical sense, appears to have been an irregularity. On May 30 of that year a woman who had advocated free love and other heresies died at the stake with such devotion that the spectators were moved to tears. The sect to which she belonged, the Brethren of the Free Spirit, furnished a good many victims in the course of the next few years, when the Inquisition reached the height of its power. But with the growth and consolidation of the authority of the Crown the Inquisition was absorbed by the secular courts till it became little more than a department of the State. Its comparative impotence was made more perceptible by the removal of the Holy See from Rome to Avignon, and by the Great Schism (1378-1447) which shook the Papacy to its foundations. The wars with the English, which were then so frequent and prolonged, also made conditions unfavourable to the Inquisition by causing the withdrawal of the royal stipend; and the University of Paris to a large extent took its place as an investigator of heresy cases. When the wars were over an attempt was made by Pope Nicholas V in 1451 to revive and increase the activity of persecution, but with no permanent success. So far had the Holy Office become out of touch with the spirit of the times that the roving commissions which were frequently granted to special Inquisitors also failed to re-establish the authority of the institution. The people of Lyons in 1458 were even bold enough to throw their Inquisitor into prison, and it was only with difficulty that he was released. A few years later Jean Laillier, a priest in Paris, spoke his mind freely about the clergy, and the Inquisition did not feel strong enough to burn him. Two other priests, who at mass threw the Host on the floor and trampled on it, committed an unpardonable crime, and duly suffered at the stake.

In the south of France the Waldensians remained powerful in the fourteenth century, even after the terrible persecutions through which they had gone. The most obnoxious of their tenets appears to have been the not unreasonable proposition that the sacraments were valueless when administered by sinful priests. To stamp out this peculiar heresy vigorous efforts were made by Pope Gregory XI in 1375, and a little later great hauls of heretics were made, and many burnings resulted. Men and women were torn from their homes to rot in the overcrowded prisons, yet still the remorseless pontiff reproached the Inquisitors with their slackness, and spurred them to greater energy. One ecclesiastic, St. Vincent Ferrer, hit upon a daring novelty, and tried the effect of kindness; but, although he made many converts, who were content to lose some of their property to save the rest, the Church was dubious about such experiments, and went on methodically with its burnings. In 1393 Inquisitor Borel of Grenoble is credited with having brought to the stake 150 persons in one day. This exceptional achievement was followed by a prolonged lull, and in 1478 Louis XI issued an ordinance limiting the powers of Inquisitors and clearly establishing the supremacy of the State. Five years later the king's death gave the Church another opportunity, which was quickly utilized. Innocent VIII determined to suppress the Waldensian heresy once for all. He ordered a crusade against the heretics, and after stubborn resistance they submitted. In one valley many of them took refuge in a remote cave, but were discovered and suffocated by the smoke of fires built at its mouth. Relief was once more gained when Louis XII came to the throne of France, and the Waldenses secured a certain liberty of worship until, in the times of the Reformation, they became absorbed in the Calvinist body. So hated

by the Roman Church was the grim faith of Calvin that in 1538 a Grand Inquisitor was burnt for embracing it.¹ A few years later Pius V ordered the Catholics to slay every Huguenot who fell into their hands.

Aragon and Castile.

The Inquisition was established in Aragon in 1238, but a long time elapsed before it was organized with anything like efficiency. A nest of Catharans had been rooted out in 1237, but the records are scanty, the principal incident being the stoning to death of an Inquisitor by the inhabitants of Urgel, the chief centre of heresy. Greater vigour was shown at the beginning of the fourteenth century, and Pope Clement VI urged the kings of Aragon and Navarre to track down the many Waldenses who had fled from Toulouse. About the middle of the century the Inquisition was concerned in a heated dispute which arose between the Dominican and Franciscan Orders regarding one of those fatuously futile subjects on which men were roused to the extremity of passion in the Middle Ages. The Franciscans maintained that the blood of Christ after his death remained on earth—a proposition which filled the Pope and the Dominicans with horror. After this interesting question had been wrangled over for 122 years a great debate took place at Rome, when the warmth of the disputants was not moderated by the bitterly cold weather. Neither party could prove its case, but neither would give way, and as the Pope at last forbade further discussion the vital question of what became of Christ's blood remains to this day unsolved. In Aragon neither the Crown nor the bishops supported the Inquisition with any particular ardour; the burning of heretics was an occasional luxury, confiscations were few, and the Inquisitors had failed to

¹ Addis and Arnold, *Catholic Dictionary*, p. 459.

gain the popular sympathy. Not until about 1481, when the Spanish Inquisition was established on a sound commercial basis, did the persecutors show great activity or inspire profound terror.

Castile also was little troubled by the Inquisition until the latter part of the fifteenth century. In 1401 Pope Boniface issued a Bull for the repression of heresy, but only a slight effect was produced. It is worth noting that the heresy was not that of daring to think for one's self (such boldness was then rare in Spain), but the idolatrous worship of plants, trees, and stones—the relics of pagan practices which the Church had incautiously permitted to survive. Aversion to the Papal Inquisition continued until the energetic measures of Ferdinand and Isabella rendered its manifestation dangerous, and smoothed the path of the orthodox.

Italy.

During the twelfth and thirteenth centuries Italy was in such a state of anarchy, due to the constant wars between its petty States, that heresy found a congenial soil, though the work of the Inquisition was not made easier. Catharism flourished in Lombardy, and propagated itself all over Europe. Its openly taught doctrines were soon met by violent repression. The Waldensian refugees from the south of France settled in the Cottian Alps, where they supported themselves only by the most remarkable industry. The freethinking emperor, Frederick II, did not respond warmly to the urgent appeals made by the Popes to suppress the heretics, for he knew the value of an increasing body of well-conducted and hard-working citizens.

In 1224, however, Pope Honorius appointed two Bishops with special powers, which they at once proceeded to exercise. The first result was an insurrection

at Brescia, in which several churches were burnt. These disturbances were repressed and the ringleaders lightly punished by fines, and it was not until Gregory IX placed the matter in the hands of the Dominicans that satisfactory progress was made. The power of the episcopate had waned, and the Inquisition was free to use its new authority almost as it pleased. It was not welcomed by the people, and its officials were at times roughly handled; but its grip was gradually tightened, largely owing to the zeal and eloquence of the Dominican Giovanni da Vicenza, who performed innumerable miracles, including the raising to life of ten dead persons. This man, whose burning of heretics did not imperil his great reputation as a peacemaker, was appointed Perpetual Inquisitor in 1247, and is believed to have perished in 1265 in a crusade against Manfred, King of Naples. The death in 1250 of Frederick II deprived the heretics of a certain measure of protection, and removed a powerful obstacle to the Inquisition's activity. The power of bigotry to stifle humane feeling is exhibited by Fra Giovanni Schio, who, though personally one of the gentlest of men, could, after preaching a beautiful sermon on love, calmly have sixty people burnt alive.¹ A still more remarkable figure is that of Peter of Verona, commonly known as St. Peter Martyr, who was one of the most renowned of all Inquisitors. His great gifts of preaching and his wonder-working powers were employed in the suppression of heresy, then rapidly growing in the northern and central parts of Italy. At Milan, and later at Florence, he carried on the holy work of burning, headed an army of the faithful, and in two deadly battles broke the strength of heresy, and with it that of the Ghibelline party, which was opposed to the Papacy.

¹ Lea, *Inquisition*, vol. i, p. 240.

It is said that Peter never broke his fast before sunset, and passed most of the night in prayer—habits which may have had something to do with his persecuting zeal. The murder of this godly man in 1252 by a band of heretics whom he had driven to extremities did not, strangely enough, result in any barbarous vengeance being inflicted on the assassins, who escaped very lightly. One of the perpetrators, after due repentance, was allowed to die peacefully as a *beato* of the Dominican Order. He even figures among the saints in the church erected to the memory of the man he helped to murder. None of the guilty men appears to have been executed; and one of them, though a notorious heretic, was only imprisoned after a lapse of forty-three years. In this the Church probably acted shrewdly, for the martyr's halo and the saint's wonderful miracles redounded to its credit in a striking degree, and one of the first results was the formation of a society, the Crocesegnati, or Knights of the Cross, by persons of station, who swore on the holy cross to devote their lives to the extermination of heresy and heretics. This society, which had branches in most of the Italian cities, greatly aided the Inquisition, and remained in existence until the nineteenth century.

Another energetic bigot, Rainerio Saccone, formerly a Catharian, extended the power of the Holy Office, supported by repeated Papal Bulls and the appointment of fresh Inquisitors. These efforts were impeded by Ezzelinda Romano, whose evil reputation has been, perhaps, somewhat exaggerated, and who, as a ruler, possessed at least one good quality—that he would permit no religious persecution. In 1241 he was condemned as a heretic—an operation several times repeated without result, until at length, in accordance with time-honoured custom, a crusade was organized against him, one of the Papal Bulls containing a provision that persons found in

possession of stolen property might receive absolution if they applied it to the purposes of the Crusade. At the outset victorious, Ezzelin was at last defeated, and received wounds from which, refusing all aid, he died. The victor, Pallavicino, was, however, no friend of the Inquisition, and, being irritated by the Pope's ungrateful treatment of him, he used every opportunity to prevent the Inquisitors from carrying on their work. Pallavicino was summoned to the Papal presence to answer for his heresy, and, disregarding the summons, became involved in war, and died in 1268, when besieged in one of his castles.

In spite of occasional but determined opposition, the Inquisition was by this time supreme all over the Peninsula; the temporal power of the Church grew with its triumph, and heretics were burnt in considerable numbers. It was hardly possible, says an Italian writer, for a man to be a Christian and die in his bed.¹ At one small town seventy persons, and at Piacenza, it is said, twenty-eight wagon loads of human beings, were thus put to death. It is curious that of one man who secretly propagated heretical opinions, while professing to be a devout Catholic, many miracles were recorded after his death. When the evidence of his heterodoxy was found to be conclusive, they ceased, and the quarrel which arose about his sanctity lasted for thirty-two years, until the Pope decreed that the charge of heresy was proved, that his bones should be burnt, all his property confiscated, and all sales or transfers of it declared void.

In the kingdom of Naples and Sicily, Charles of Anjou, whose ambition to dominate Italy had been fostered by the Papacy, established the Inquisition about 1268 or 1269. It looked sharply after the financial results, but,

¹ Ranke, *Lives of the Popes*, vol. i, p. 144.

although its operations were at first carried on with vigour, it did not assume the compact and effective form which it possessed in the South of France. Heretics were occasionally burnt, but numbers remained unmolested—a fact which implies some inefficiency on the part of the Inquisitors. At Venice the success of the persecutors was still more meagre, for the Republic jealously kept them in subordination. Its lack of persecuting zeal aroused the ire of the Pope, but his peremptory orders were complied with only in such a way as to leave the supremacy of the State unimpaired. Reserving the right to control confiscations, it undertook only to defray the Inquisitors' expenses. The Inquisition was becoming no longer a paying concern, and its decay in Italy, as in France, went on steadily during the fourteenth and fifteenth centuries. Catharism had been virtually stamped out, but the Waldenses remained obstinate, strong in their simple faith and hopefulness, their incessant industry, and hardy virtues. In spite of the burning of some of their number in 1312, they flourished in their remote villages until a pitiless persecution by Gregory XI, in 1375, thinned their ranks and avenged the murder of two Inquisitors. About the middle of the fifteenth century a zealous priest in one raid burned twenty-two relapsed heretics, whose property was confiscated. A respite then ensued, but persecution was shortly recommenced, in the form of a crusade. On one occasion five heretics were sentenced to be burnt, but managed to escape. Determined not to be baulked of his prey, the Inquisitor burnt in their stead three other persons whose confessions had secured their pardon. The Waldenses fought bravely, and once nearly annihilated the crusading army, but in the end they were overpowered. Many emigrated to more peaceful districts, where they maintained a precarious existence till 1530,

when, like their brethren in France, they were merged in the Calvinist body.

In the Sicilies the Jews were the chief objects of the Inquisition's activities, but its power, although stimulated in the middle of the fifteenth century by an impudent forgery of the Inquisitor of Palermo, was not equal to its ambitions; its judgments continued to be subject to revision by the State, and were largely nullified by the opposition of the people until the Reformation gave a fresh impetus to the sacred duty of persecution.

Bosnia.

The strength and persistence of the Catharan heresy determined Innocent III to convert the nominal allegiance of the Slav race in the south-east of Europe into a definite submission to the rule of Rome. Driven from the Adriatic shore, the Cathari of Italy went to Bosnia, where a considerable number of their faith already flourished. Although the sword supplemented the love of God, the efforts of the Church resulted in only a temporary obedience. Under the relentless pressure of Rome, Dominican Inquisitors arrived in Bosnia by instalments during the thirteenth century, and the martyrdom of some of them only inflamed the zeal of the rest. Holy crusaders ravaged the country, repeating the horrors of the Albigensian wars. Time after time heresy was to all appearance extirpated, but it raised its head again as soon as the pressure was removed. More than a century of hopeless confusion and strife between Dominicans and Franciscans, as well as between them and heretics, followed, and in 1331 it was found that the worship of trees and fountains still prevailed among the "Christian" population. The progress of heresy may be estimated from the fact that early in the fifteenth century Catharism became the State religion of Bosnia.

Matters were complicated by the invasion of the Turks, to whose Sultan, Mohammed II, the King rendered allegiance on the fall of Constantinople in 1453, not because of any admiration for Islam, but because he could obtain military assistance from Christendom only on terms of complete submission to Rome, which meant a free hand for the Inquisition. Under another King, who refused payment of the agreed tribute to the Turkish Sultan, the country was conquered, almost without a struggle, by the Ottomans. Most of the Cathari embraced the Moslem faith, and thus a sect which had existed for more than a thousand years became extinct. The majority of the orthodox left the country rather than practise their religion under Moslem tolerance.

Germany.

It was discovered in 1209 that the diocese of Strassburg was gravely infected with heresy, and a large number of unfortunate persons perished at the stake. On one day in that city the episcopal authorities caused to be burnt eighty persons who had failed to pass successfully through the ordeal of the red-hot iron. Catharism was little known in Germany, and the heretics were mainly Waldenses. A body allied to them, known as the Ortlibenses, or Brethren of the Free Spirit, founded by one Ortlieb, of Strassburg, held that God was the essence of all creatures, and invisible except through them. From this it followed, or was believed to follow, that man, being an embodiment of the spirit of God, was incapable of sin. This doctrine swept away, not merely the entire apparatus of theology, but the whole system of observances which constituted the religion of the Church and the source of its wealth. And as it was broad enough to include the Prince of Darkness himself in the possibility of redemption, its advocates became

known as Luciferans, a designation which gave rise to many scandalous reports. The tenets of the Ortlibenses were doubtless capable of being abused, though there is little evidence to show that they were so to any serious extent. Spurred on by Gregory, the cruel fanatic, Conrad of Marburg—whom he had appointed first Inquisitor of Germany—carried on the work of persecution to the utmost of his power, but his success failed to satisfy the merciless Pontiff. Transparently-invented confessions, detailing hideous and absurd orgies of devil-worship, which Conrad extracted from the Luciferans and forwarded to the Pope, drove him almost insane with wrath, and persecution was carried on with such frantic intensity that even the Bishops protested against its excesses. Conrad was greatly mortified by the acquittal of a powerful noble, Count Sayn, who had been accused of the deadly crime of riding on a crab! During this reign of terror the Ortlibenses were suppressed, with the burning of ten of their leaders, who met their fate with calmness; and a few years afterwards, on July 31, 1233, Conrad was murdered. In this case, also, a singular leniency on the part of the Church towards serious crime was observed, the guilty parties being punished merely with excommunication. Strangely enough, the Church has not manufactured a saint out of Conrad of Marburg, whether because of his brutal treatment of St. Elizabeth of Thuringia, or because of the unpopularity caused by his excessive zeal, history does not record. It is to the credit of the German Bishops that they declined to give any public approval of his actions. Another persecuting Conrad, who had much to do with the troubles, was slain, and his assistant hanged. The number of these men's victims is not known, but that it must have been large is shown by the profound impression produced in Germany by the persecution. It should be mentioned

that the secular code and episcopal laws of Germany made ample provision for the suppression of heresy without reference to the Inquisition.

The doctrines of the Ortlibenses embodied a mixture of ascetic and pantheistic tendencies which, though at first pure, were afterwards so developed as to be made a cloak for immoral practices. The original ideal seems to have been fairly well maintained, and it is doubtful whether there was any foundation for the charges made by some Italian ecclesiastics, that the ideas of sinlessness and of bodily nakedness as a state of grace were deliberately employed for the corruption of women. Another notorious sect, calling themselves the Friends of God, held the daring conception that it was possible for Jews and Moslems to obtain salvation, and refused to denounce heretics as long as God tolerated them.

The episcopal Inquisition was not organized in Germany until 1317, and was directed mainly against the Beghards (known also as the Lollards), who originated in the Netherlands and taught that poverty was the greatest virtue. Upon these inoffensive people the Archbishop of Cologne had opened war a few years earlier. The female heretics, known as Beguines, were severely persecuted, though not to death; and it is said that on his death-bed Pope Clement V bitterly regretted authorizing the proceedings against them. Walter the Lollard, the most dangerous heretic of the Rhine provinces, was terribly tortured in 1322, and, on the special instructions of the Pope, he and many of his followers perished in the flames, meeting their fate with undaunted cheerfulness. In 1353 renewed attempts were made to establish the Inquisition in Germany, but without success. The well-known mania of the Flagellants was persecuted as heresy, and many people were burnt, while many

others were left to rot in underground dungeons. Another sect, called the "Friends of God," furnished more victims, and during the great plague the murder of Jews was thought to be pleasing to God. In 1369 the Emperor Charles IV took the Inquisition under State protection, and it was organized for work, five Inquisitors being appointed, though it still lacked houses and prisons. The unfortunate Beghards and Beguines were turned out of their houses, which were appropriated by the Inquisitors, of course without paying compensation, and not without opposition from the Bishops, who saw their own prerogatives threatened. The Beghards had been allowed to make their opinions public by means of tracts written in the vernacular; the censorship vested in the Holy Office rectified the oversight. Both the Bishops and the civil authorities objected to indiscriminate persecution, and even succeeded in obtaining from Gregory XI authority to restrict the Inquisitors' activity in regard to the Beghards and Beguines. Being almost unmolested for a time, the Waldensian heretics again came into prominence, and from 1393 to 1397 suffered severely from persecution. At Steyer, in the latter year, more than a hundred Waldenses of both sexes were burnt. Of the followers of Ccnrad Schmidt, of Thuringia, many were discovered in 1414, and ninety-one were burnt in one town, forty-four in another, and many more in the villages of that province. A still more horrible case occurred two years later, when 300 of the Flagellants, penitent as well as impenitent, suffered at the stake in one day.

The superiority of the episcopate over the Inquisition was asserted by a Bull of Eugenius IV in 1431, which had the novel effect of rendering the Inquisitors liable to excommunication if they interfered with the Bishops. Persecution went on, however, until, in the time of the

Reformation, most of the heretical bodies lost their identity in the spread of Lutheranism. One of the precursors of that great movement was Gregory of Heimburg, who for twenty-five years boldly wrote and preached against the Papacy and the abuse by the Church of its power. A similar campaign was carried on by Hans of Niklaushausen, who proclaimed that the wickedness of the clergy was bringing about the destruction of the world. He was seized by the episcopal tribunal of Wurzburg, and silenced in the customary manner. In spite of intermittent activity and a large number of burnings in Germany, the Inquisition never obtained a firm foothold in that country; while in Bavaria it was not formally established till 1599, and did not retain power for long. Had it been as strong and efficient as it proved in Spain, the career of Martin Luther would have been a brief one, and the Reformation would have been postponed indefinitely.

Bohemia.

In 1257, owing to a request by the King of Bohemia for aid in suppressing heresy, the Inquisition was, under episcopal sanction, established in his dominions, and two Inquisitors were appointed. The people evidently thought them more than sufficient, for when, in 1341, another ecclesiastic was empowered to act he was speedily slain by the angry populace. Bohemia was in the fourteenth century one of the most prosperous countries in Europe; but the state of its morals was far from satisfactory, the clergy in particular being worldly and depraved, and almost universally practising concubinage. The privileges of the Church were habitually sold for cash, and the land was full of vagrants, whose clerical immunities enabled them to gamble, brawl, drink, and rob at their pleasure. The

demand of Innocent VI in 1354 for a tenth of the ecclesiastical revenues of the Empire to enable him to carry on his Italian wars threw Germany into an uproar. The scandalous moral laxity of the clergy passed almost unproved, but an attack on the Church's money bags was a much more serious matter. The clergy sheared their flocks without mercy, but they had the strongest objection to being shorn. Eighteen years elapsed before the Papal Inquisition was set up in Bohemia by Bull of Gregory XI, and it was then confined to five of the more important provinces, Prague being omitted. Many fore-runners of the reformer John Huss appeared in Bohemia, and the general dissatisfaction with the Church had given rise to a powerful movement on behalf of liberty—a movement stimulated by the influence of John Wycliffe, whose writings were greatly esteemed in Prague. Wycliffe and his followers boldly taught that the Pope was Anti-christ, and that excommunications might be disregarded. The clergy were vicars of Satan, their churches dens of thieves and habitations of fiends. It is curious that the Inquisition, relentless in its persecution of the Waldenses, appears to have seen nothing specially objectionable in the doctrines of Huss. At any rate, it took no official part in his trial, which, however, was modelled on the familiar Inquisitorial procedure. The controversy between orthodoxy and heresy now centred on points of doctrine rather than on the purification of the Church. The reformers contended that the Papal claim to the power of the keys was either essential to salvation or a cunning lie to gratify power and self-interest. Huss was excommunicated; and, although victorious in argument, his injudicious reliance on the Emperor's honour led to his terrible end in 1415. Sigismund's violation of his safe conduct was expressly recommended and defended by the clergy, on the ground that, under the law, a heretic could

neither expect nor receive protection, and that the word of a king could not be allowed to prejudice the Catholic faith. Technically the contention was sound, for the law was largely an ecclesiastical creation, which reversed the accepted ideas of morality, and a word from Rome could absolve men from the most sacred obligations. The Council of Constance, having rid the world of John Huss and Jerome of Prague, began to apply the methods of the Inquisition to the whole kingdom of Bohemia, while making no attempt to check the corruption which had been the chief cause of the growth of heresy. A Bull of Martin V in 1418 urged prelates and Inquisitors to track out the heretics and deliver them to justice, and all secular rulers were commanded to aid the work. In the following year rebellion broke out, and the hardy zealots rivalled the persecutors in atrocities of cruelty. After ten years of struggle peace was restored. The more moderate among the reformers accepted the dogmas of the Church, while the extremists held firmly to their anti-sacerdotal opinions. They were met by another revival of bigotry. An energetic Inquisitor appointed by the Pope in 1436 persecuted throughout Hungary and Austria with extreme severity, but no detailed record of his victims remains. From the rude and miserably poor Hussites arose the sect of Moravian Brethren, which has existed for 400 years to the present day, preserving amid sore trials and persecutions the simplicity and purity of its faith.

The Netherlands.

In the middle of the sixteenth century the most prosperous portion of Europe was the Netherlands or Low Countries, which comprised the provinces now forming the kingdoms of Holland and Belgium. Many large towns adorned these fertile plains, inhabited by an

energetic and hard-working people, whose vast commerce extended to every quarter of the globe. Antwerp, the banking centre of Europe, contained nearly as many people as then inhabited London; and splendid public buildings testified to the taste, wealth, and civic spirit of its citizens. The municipal institutions of the country were in advance of those of any other, and even the poorer classes lived in something like comfort, while education was so diffused that there was scarcely a peasant who was unable to read and write. As in the south of France 300 years earlier, a rich and progressive civilization had been developed by a self-reliant and independent people, and had created a predisposition to heresy—that is, it stimulated men's minds in every department of life, and in none more powerfully than in that of religion. The Church had succeeded in destroying the civilization of Languedoc. It joined zealously in a similar attempt in the Netherlands. But it had to do with a different people.

In 1520 the Emperor Charles V, of whose dominions the seventeen Provinces of the Netherlands formed part, issued the first of his nine Edicts for the purpose of enforcing religious uniformity. These made up a complete system of persecution, and included the introduction of the Inquisition, not after the Spanish model with which Charles was familiar, but in the somewhat less efficient and imposing form instituted by the Papacy in the thirteenth century, and perfected by long experience. Certain safeguards were insisted upon by the Netherlands, such as the vesting of inquisitorial powers in laymen, and confirmation of sentences by members of provincial councils. The Emperor appointed a supreme Inquisitor for the whole country, and the Edicts were so efficiently carried out as to render the Spanish organization superfluous. These "placards," as they were termed, were

directed against Protestantism, which had made remarkable progress among a people to whose temperament it strongly appealed, and had not been repressed by the local tribunals of the episcopal Inquisition. Under Charles's Edicts great numbers of persons were put to death for such enormous offences as reading the Bible, ridiculing the sacred wafer, or even casting a disapproving glance on a graven image. Motley states that in 1546 the number of victims had been estimated by the Venetian Envoy at 30,000, and it is accepted by most historians as true that during Charles's reign from 50,000 to 100,000 persons suffered death for their religious opinions, and that his son Philip caused at least half as many to be executed.

These figures are in all probability exaggerated, but they at least indicate very severe and prolonged persecution. The mere terms of the Edict of 1550 compel this conclusion. They provide that the crimes of printing, copying, possessing, or circulating the works of the Protestant Reformers, image breaking, unauthorized worship or discussion whether in public or in private, disputes upon or exposition of the Scriptures, or preaching openly or secretly, were to be punished by death; "the men with the sword and the women to be buried alive, if they do not persist in their errors; if they do persist in them, then they are to be executed with fire; all their property in both cases being confiscated to the Crown."¹ The Edict also forbade any aid or favour of suspected heretics, and provided that persons who failed to denounce them became thereby liable to the same punishments as the heretics themselves. In order to forestall any softening of the hearts of the judges, they were forbidden, under the threat of severe penalties, to grant or

¹ Motley, *Rise of the Dutch Republic*, part ii, ch. i.

request pardons, or to relax the severity of their instructions.

This barbarous Edict, which merely completed previous enactments of almost equal ferocity, was renewed and confirmed by Philip II when, in 1555, he assumed the reins of power on the Emperor's abdication. Though egregiously in error in yielding to the counsels of his spiritual advisers, Charles was an able and prudent ruler, who persecuted only for supposed reasons of State, and did not scruple to employ Protestants in his service, provided they were fit men. His appointment of an Inquisitor-General for the Netherlands was confirmed by Pope Adrian VI in 1522, thus establishing the Papal Inquisition; but, the official being dismissed for forgery, fresh Inquisitors were nominated to see that the Edicts were obeyed. "They were empowered," says Motley, "to inquire, proceed against, and chastise all heretics, all persons suspected of heresy—and their protectors. Accompanied by a notary, they were to collect written information concerning every person in the provinces 'infected or vehemently suspected.' They were authorized to summon all subjects of his Majesty, whatever their rank, quality, or station, and to compel them to give evidence, or to communicate suspicions. They were to punish all who pertinaciously refused such depositions with death. The Emperor commanded his presidents, judges, sheriffs, and all other judicial and executive officers to render all 'assistance to the Inquisitors and their familiars in their holy and pious Inquisition, whenever required so to do,' on pain of being punished as encouragers of heresy—that is to say, with death. Whenever the Inquisitors should be satisfied as to the heresy of any individual, they were to order his arrest and detention by the judge of the place, or by others arbitrarily to be selected by them.....In conclusion, the

Emperor ordered the 'Inquisitors to make it known that they were not doing their own work, but that of Christ, and to persuade all persons of this fact.'"¹

The strangely perverted vision which could thus see the work of Christ in the merciless cruelty of the Inquisition need not be analysed. The mean-souled bigot Philip made the most desperate efforts to break the will and enforce the submission of a high-spirited and resolute people, among whom the tenets of Protestantism had made remarkable progress. For details of the appalling and well-nigh incredible horrors perpetrated by the Inquisitors, the monster Titelmann in particular, the reader is referred to Motley's great work.

The persecutions produced the effects which might have been foreseen. They caused the immortal revolt of the Netherlands. "Nothing was talked of but the Edicts and the Inquisition. Nothing else entered into the minds of men. In the streets, in the shops, in the taverns, in the fields; at market, at church, at funerals, at weddings; in the noble's castle, at the farmer's fire-side, in the mechanic's garret, upon the merchants' exchange, there was but one perpetual subject of shuddering conversation. It was better, men began to whisper to each other, to die at once than to live in perpetual slavery. It was better to fall with arms in hand than to be tortured and butchered by the Inquisition."²

Eminent men inveighed against the tyranny of the Government, and several of the nobles refused to obey the Edicts. At first it was debated whether Philip would be mad enough to enforce them, but all doubt as to his intentions was removed by the Inquisition being formally proclaimed in every town and village throughout the country. The Netherlanders steeled their hearts, and

¹ Motley, part ii, ch. iii.

² *Ibid*, part ii, ch. v.

prepared to resist to the death. As Motley remarks: "They knew that the obligation of a King to his vassals was as sacred as the duties of the subjects to the sovereign." Philip was not unaware of the peril, but, like the wooden-headed bigot that he was, considered the danger of discrediting the Inquisition greater than any inconveniences that were likely to result from its rigour. The general indignation became so pronounced that Philip was urged to modify his instructions in some important particulars, the chief of which were the repeal of the Edicts and the abolition of the Inquisition. Very reluctantly he agreed to make certain concessions, but the sincerity of his compliance may be estimated from the facts that he withdrew the Papal but maintained the Episcopal Inquisition, stimulating the latter to fresh exertions, and that he agreed to relax the penalty of death for heresy, though, considering the promise extorted from him, he declined to be bound by it. He wrote to his envoy at Rome that this was, perhaps, the best arrangement, "since the abolition would have no force unless the Pope, by whom the institution had been established, consented to its suspension. This matter, however, was to be kept a profound secret.....The Papal institution, notwithstanding the official letters, was to exist, unless the Pope chose to destroy it; and his Holiness had sent the Archbishop of Sorrento, a few weeks before, to Brussels, for the purpose of concerting secret measures for strengthening the Holy Office in the Provinces."¹ The severity of the Edicts Philip declined to mitigate; his secret resolve was not only to keep them in full force, but so efficiently to support the Inquisition that all his heretic subjects could be exterminated, even if it cost him his realm and his life.

¹ Motley, part ii, ch. viii.

All this time persecution was going on, and men and women were being daily tortured, beheaded, strangled, and burnt alive. Did the Church of Christ utter one word of protest? Let the Archbishop of Cambrai answer. An intercepted letter written by him to Cardinal Granvelle in 1565 contained these words: "Since the pot is uncovered and the whole cookery known, we had best push forward and make an end of all the principal heretics, whether rich or poor, without regarding whether the city will be entirely ruined by such a course. Such an opinion I should declare openly were it not that we of the ecclesiastical profession are accused of always crying out for blood."¹

An even more precise indication of the general feeling in the Church is found in the resolution passed at a great meeting of the rulers and nobility in the same year. The question debated was whether any change should be made in the treatment of heretics. The lay doctors present were all in favour of the death penalty being abolished. All the ecclesiastics stoutly maintained the opposite opinion, and unanimously resolved that no attempt should be made to improve a system which had hitherto worked so well, and that heretics were to be rigorously chastised, as before. That Philip shared to the full their truculent zeal is shown by his fury when he learnt that in May, 1567, a decree of slightly mitigated ferocity had been issued by his representative, the Duchess of Parma. He ordered its immediate revocation, on the ground that its excessive clemency was indecent and contrary to the Christian religion. The clemency consisted in permitting heretics to be hanged instead of being burnt alive. This royal fanatic personally commended the outrageous Titelmann for his persecuting energy.

¹ Motley, part ii, ch. v.

When the Prince of Orange, who had earnestly defended the cause of freedom, left the Netherlands for Germany in 1567, the country, says Motley, "was absolutely helpless, the popular heart cold with apprehension. All persons at all implicated in the late troubles, or suspected of heresy, fled from their homes. Fugitive soldiers were hunted into rivers, cut to pieces in the fields, hanged, burned, or drowned, like dogs, without quarter and without remorse. The most industrious and valuable part of the population left the land in droves. The tide swept outwards with such rapidity that the Netherlands seemed fast becoming the desolate waste they had been before the Christian era. Throughout the country those Reformers who were unable to effect their escape betook themselves to their old lurking-places. The new religion was banished from the cities, every conventicle was broken up by armed men, the preachers and leading men were hanged, their disciples beaten with rods, reduced to beggary, or imprisoned, even if they sometimes escaped the scaffold. An incredible number, however, were executed for religious causes. Hardly a village so small, says the Antwerp chronicler, but that it could furnish one, two, or three hundred victims to the executioner. The new churches were levelled to the ground, and out of their timber gallows were constructed. It was thought an ingenious pleasantry to hang the Reformers upon the beams under which they had hoped to worship God."¹

The troubles became more and more serious, and at length culminated in open revolt. In 1567 the Duke of Alva arrived in Brussels with a well-appointed army of Spanish veterans, and at once began his career of blood and cruelty. When he left the country, six years later, a baffled man, he is said to have boasted that he had

¹ Motley, part ii, ch. x.

caused 18,600 persons to be executed during that period. On the 16th February, 1568, the Inquisition framed the most comprehensive death-warrant ever issued, and ten days later Philip confirmed it; the whole of the inhabitants of the Netherlands were regarded as heretics and condemned to death, a few persons only being excepted by name. Motley appears to have no doubt as to the authenticity of this appalling document, but Prescott states that he can find no Spanish record of it, and that it is related by only two Dutch historians. In 1568 the rebellion broke out in earnest, and led to that great and glorious war which lasted, with intervals, for eighty years, with the result that the Low Countries were delivered from the oppressor, and one of the noblest of nations secured its independence and religious freedom.

The Spiritual Franciscans.

A section of the Mendicant Order founded by Francis of Assisi became known as the Spiritual Franciscans, whose adherence to their vows of poverty and purity was disapproved, as reflecting on the luxury and the moral apathy which prevailed in the Order generally. The Inquisition took up the task of showing the folly of being righteous overmuch, and in the fourteenth century the Spiritual Franciscans were very firmly handled. Twenty-five of them were severely tortured in 1318, and four were burnt at Marseilles for the criminal inconsistency of wearing flowing garments and having granaries and cellars. The lawfulness of possessing property was then one of the great questions that distracted the Church, and people ran the risk of being burnt whichever opinion they held. Encouraged by their success, the Inquisitors proceeded with increased vigour. At Narbonne the bishops tried to protect some accused persons, but were cowed by Inquisitorial threats.

Three victims went to the stake in 1319, seventeen during the Lent of 1321, and several in the following year. At Lunel seventeen were burnt, at Beziers nine, and at Carcassonne 113 persons were executed between 1318 and 1350. All these fell victims to the Dominicans, but the orthodox Franciscans rivalled them in zeal, 114 persons being burnt by them in the year 1323. Having departed from their original moderation, the Franciscans had become energetic persecutors, who even went the length of burning a man for persistently refusing to break his vows of poverty and chastity.

In the latter part of the thirteenth century great unrest in religious matters prevailed throughout Europe, and credulity took strange forms. The expectation that the era of the Holy Ghost was about to begin was a common and harmless delusion which the orthodox felt in duty bound to extirpate. With little difficulty and by comparatively lenient methods and the use of a moderate amount of torture, the Inquisition put an end to a small sect called the Guillemites, named after a woman who was worshipped as an incarnation of the Holy Ghost, and whose resurrection after death was confidently looked for. Other eccentric modes of piety were suppressed with only a few burnings, but the episode of Dolcino in 1300 was a much more serious matter.

Apparently a man of commanding personality but holding a curious medley of religious opinions, Dolcino was soon recognized as the spiritual head of a community numbering several thousand persons, who called themselves the Apostles. The success of his mission being dangerous to the Church, the Pope Clement V proclaimed a crusade against him. He and his followers camped on a bleak mountain summit in the province of Vercelli, supporting themselves by raids for food into the neighbouring valleys. Three crusades failed, but a fourth

was successful ; and after terrible sufferings, cannibalism being resorted to by the besieged, the mountain was captured with merciless slaughter on both sides, the fanatics were broken up, and their leaders handed over to the secular arm and punished with the utmost barbarity. The beautiful Margarita, Dolcino's "sister in Christ," refusing pardon and offers of marriage, was slowly roasted alive before his eyes, and Dolcino himself was taken on a cart through the district on a hot summer day, and gradually torn to pieces with red-hot pincers. Such was the man's resolution that he bore this frightful treatment without even a change of countenance. Strange as were some of the tenets of these enthusiasts, they were harmless enough in a moral sense, their chief crimes being their protests against the evil lives of the clergy, their success in making converts, and their contention that Christ had forsaken the Church of Rome because of its wickedness. Believing purity of life to be the first essential to salvation, they scorned the formalities of priestly religion, and dedicated themselves to poverty, chastity, and humility.

In the fourteenth century the great question which divided the Church was that of the poverty of its founder, and to this all other questions had to give way. The Franciscans ventured to say that Jesus was very poor in worldly goods. The Dominicans, on the other hand, were confident that he possessed some property, though they could not say exactly how much. On this momentous question the good old Church was rent almost in twain. Regardless of Scripture, the Dominicans even hung on the walls of their monasteries pictures representing Jesus on the Cross, with one hand nailed and the other putting money in his pouch. The latter Order was favoured by the Pope, who persecuted the Franciscans with great persistency, and men were

burnt for holding heretical opinions on a subject of which no one possessed the smallest fragment of knowledge.

With the death of the chief defenders of comparative sanity in religion—Marsilio of Padua, William of Ockham, and others—the Spiritual Franciscans again underwent severe persecution, and controversy centred round the rights and privileges of the Church and the moral condition of the clergy. The well-known sect of the Fratricelli maintained that the real heretic was the Church, which by its evil conduct had created the heresies that it punished, and by its doctrines perverted the minds of simple believers. Popular sympathy in their favour was powerless to prevent punishment. The Popes commanded the Inquisitors to persecute, and about the middle of the century several persons were burnt in Italy and France, a number apparently in the presence of Pope Nicholas V. One of the leaders was burnt by instalments, and lingered for three days before death freed him from his torturers. Under this vigorous repression the Fratricelli became extinct towards the end of the fifteenth century.

CHAPTER V

MISCELLANEOUS ACTIVITIES

Political Heresy.

THE charge of heresy, being easy to make and hard to disprove, furnished a useful and efficacious means of attacking political enemies, especially as there was no other offence for which the penalty was so severe. Crusades against heretics were common. Prior to the great Albigensian war there were several crusades against the Stedingers of north-western Germany, a harmless sect of Waldensian tendencies, who were finally suppressed in the twelfth century. During the three following centuries the Papacy started or sanctioned crusades against Viterbo, Aix la Chapelle, Aragon, Ezzelin da Romano, Manfred of Sicily, Ferrara, Venice, the Visconti of Milan, the Hussites, the Maffredi, and others. During this period Italy was a scene of almost chronic disorder, turbulence, and war of the most ruthless character. At the capture at Cesena in 1376 the Papal Legate ordered that all the inhabitants should be put to the sword, "without distinction of age or sex, after they had admitted him and his bandits into the city under his solemn oath that no injury would be inflicted on them. The number of the slain was estimated at 5,000."¹ In the early part of the fourteenth century many noble Italian families had sentences

¹ Lea, *Inquisition*, vol. iii, p. 204.

of heresy pronounced against them by the Inquisition.

The earnest efforts of Savonarola to purify the Church and the freedom of his preaching induced the Papacy to proceed against him, though, as usual, political considerations also were influential. He was tried under a Papal commission and in accordance with the formulas of the Inquisition, though it does not appear that the proceedings were officially held by that body. At any rate, he was burnt in 1498, and after his death it was discovered that his writings contained no definitely heretical opinions.

The Templars.

A very important case in the fourteenth century was the trial of the Templars, which dragged on for over six years. Some of the accusations were of a trivial and ridiculous character, others implied traces of the Catharist heresy and dark practices at the initiation of neophytes, none of which could be proved, and the whole proceedings were a mockery of justice. The real motive was the desire of the King of France to seize the immense wealth of the Order, and grossly exaggerated charges were made with a view of giving a suitable colour to the course of "justice." The Inquisition set to work, and secured many confessions, of course by the liberal use of torture; and that it was of a rigorous kind is shown by the fact that in Paris alone thirty-six Templars perished under their torments, at Sens twenty-five, and many more elsewhere. So untrustworthy and contradictory is the recorded evidence that there is little reason to doubt the innocence of the accused. Special Inquisitors were appointed all over Europe; the slow process of ecclesiastical law, which then sanctioned abuses from which the secular power shrank, was expedited by the Pope,

the bishops were compliant, the State was greedy. The king and the Pope entered into an agreement defining the disposition of the victims' property. In the clutches of the Inquisition the Order of the Temple was doomed. After a prolonged series of trials it was condemned, and its property confiscated. On May 12, 1310, fifty-four Templars were burnt in Paris, four more a few days later, and about twenty at other places. In Lorraine many of the Order suffered at the stake, while in Germany the victims were comparatively few, some in the diocese of Maintz being fortunate enough to secure an acquittal—a verdict highly displeasing to the Pope. In England the prosecution was greatly hampered by that peculiarity of English law which made torture illegal. The difficulty was got over by the express instructions of the Pope; but, in spite of a certain temporary success in that method of extracting evidence, no Templars were put to death, and the Inquisition failed to establish itself in this country. Results hardly more satisfactory attended its operations in Italy. The Templars were few; they strenuously avouched their innocence, and produced evidence highly favourable to their plea. They were, nevertheless, imprisoned, their property was confiscated, and the Pope in 1311 gave urgent instructions to have them tortured, but with what result is not known. In Castile and Aragon the Templars, notwithstanding another Papal command for their torture and the presence of special Inquisitors sent for the purpose, were declared innocent of the crimes attributed to them; but their Order was dissolved, and its property in Aragon handed over to the Hospitallers, who were burdened with their support. All over Europe repeated and urgent orders were received from Rome that the Templars were to be tortured, and the historian justly remarks that these Papal Bulls were “perhaps the

most disgraceful that ever proceeded from a vicegerent of God."¹

The magnitude of the proceedings against the Templars may be estimated from the fact that when the Papal archives were by order of Napoleon transferred to Paris in 1810 the boxes of documents relating to the trial numbered 3,239; and many further records were, it is said, sold by Papal agents to grocers as waste paper. At the Council of Vienne convened in 1312, mainly to consider the case of the Templars, the Pope did his utmost to get them condemned without a hearing; and, though unsuccessful in this, the Order was formally abolished at his instigation, and the bulk of its property, as in Aragon, transferred to the Hospitallers, who did not relish the duty of supporting their unfortunate rivals. The rest of the booty was divided among the royal and other thieves who had long lusted for it. Many of the principal Templars were sentenced to perpetual imprisonment, in the course of which they rotted to death. The two chiefs, De Molay and De Charny, were slowly burned to death in Paris in March, 1314, as relapsed heretics, on the day after their declaration that they had confessed merely to save their lives. It would have been impossible thus to destroy the wealthiest and most powerful Order in Europe without the agency of the Holy Office.

Joan of Arc.

When Joan of Arc was captured by John of Luxemburg in May, 1430, she was sold by him for 10,000 livres to the English, who desired to have her tried before the Inquisition. She was bitterly hated by them, and the University of Paris heartily joined in their ferocious pursuit of the heroic maid. Pierre Cauchon, the Bishop

¹ Lea, *Inquisition*, vol. iii, p. 318.

of Beauvais, another of her opponents, presided at the trial, which opened in February, 1431; and, as it was assumed that the proceedings would be invalid without the presence of an Inquisitor, though Cauchon himself was nominally one, Jean le Maitre, Vicar for Rouen, acted (reluctantly, be it said to his credit) as representative of the Inquisitor for France. The trial was a monstrosously unjust one; evidence in Joan's favour was suppressed, and a number of skilled lawyers and theologians worked hard to entrap her into confession. It is one of the marvels of history that this untaught peasant girl time after time baffled her persecutors by her simple and truthful answers to their cunningly framed questions. Worn out at last by their tireless persistence, she abjured, and received the customary sentence of perpetual imprisonment. The English were furious, and made desperate efforts to secure her death. It was not easy to find a pretext, but one was discovered in her change of clothing. Joan was tempted by having her usual man's dress placed within her reach. She donned it; advantage was taken of her imprudence to treat it as a formal relapse into heresy, and two days later the noble and innocent deliverer of her country was burnt alive in the market place of Rouen, to the everlasting shame of France and England.

Sorcery and Magic.

It is impossible to understand the life of the Middle Ages unless it is borne in mind that men and women everywhere held an implicit belief in the reality of the supernatural and of evil spirits, who were for ever tempting them to wrong. The idea of natural law being unknown, it was not perceived that this belief conflicted with the notion of an intelligible cosmos, or that it violated the idea of human responsibility by assuming

that man's actions are attributable, not to himself, but to either good spirits or demons. It was man, however, who received the punishment. The air was believed to be thick with spirits; they might be seen as dust, as motes in the sunbeam, or in the falling rain. The sounds of the wind, of any clashing objects, of running streams and roaring cataracts, were the voices of spirits. From Scriptural texts, such as Genesis vi, 5, Luke iv, 7, and others, the logical deduction was drawn that intercourse between angelic and human beings was not merely possible, but continually took place.

At first the Inquisition neither had nor claimed jurisdiction over dealings with evil spirits. The Church, indeed, was sometimes more rational than the people, for in 1279 an Alsatian nun would have been burnt by the peasantry for sorcery had she not been rescued by some friars. The question of repressing this crime had been raised in 1257, and before many years elapsed it was generally recognized that the Inquisition had some sort of jurisdiction over it. Astrology soon attracted its attention, and was ranked as heresy. Peter of Abano seems to have been the first to be prosecuted, and he would have been burnt as a relapsed heretic had he not taken the precaution to die in the ordinary way first. In 1324 the astrologer, Cecco d'Ascoli, was forced to abjure, but, being imprudent enough to relapse, was burnt three years later. Several people were excommunicated for sorcery early in the fourteenth century, and the growing belief in the reality and gravity of the offence was greatly stimulated by Pope John XXII.

In Ireland a zealous Franciscan worked up a case against Lady Alice Kyteler, alleged to be one of the most powerful sorcerers in the world; and, though the lady escaped to England, her maid was mercilessly scourged until she confessed a tissue of absurdities, after which she was

burnt. Persecution diminished when, in 1330, the Pope withdrew sorcery from the jurisdiction of the Holy Office, but the popular belief continued and extended, and the secular courts were sufficiently rigorous in their treatment of offenders. In 1390 two women, after being severely tortured two or three times without result, finally confessed to a charge of making a love-philtre, and were burnt. The early trials for sorcery in England were held in the civil courts, the leniency of which was disapproved by the Church; in 1407, therefore, Henry IV placed the offence under ecclesiastical jurisdiction, which naturally made the most of it, and prepared a congenial soil for the witchcraft delusion.

One of the most extraordinary cases in history is that of Gilles de Retz (or Rais), who in 1440 was accused of sacrilege, child murder, intercourse with demons, and other offences savouring of heresy. Gilles de Rais, Marshal of France, was a rich and powerful baron of Brittany, whose extravagance involved him in many difficulties. He was pious, as far as the observances of religion went, a man of unusual culture, with a passion for expensive books, paintings, music, the drama, and other forms of art. A dabbler in the occult, he sought perseveringly for the Philosopher's Stone, by which he believed unlimited wealth would be gained, enabling him to keep up his lavish display and prodigality. But there was a very much darker side to his character. He was accustomed to employ agents, women as well as men, to entice children from their parents, by whom they were never seen again. These disappearances became so numerous that suspicion was aroused, and de Rais was at last arrested and tried before the Bishop of Nantes and the Vice-Inquisitor of the diocese. He was found guilty, but no sentence was pronounced. Immediately afterwards he was tried in a secular court, and sentenced to be

hanged and burnt, with two servants who had been accomplices in his ghastly crimes. Making allowance for popular exaggeration, which attributed countless victims to him, there is reason to believe that 140 children were outraged and murdered, their bodies being thrown into pits. It is said that "so depraved became his appetite that he found his chief enjoyment in the death agonies of his victims, over whose sufferings he gloated as he skilfully mangled them and protracted their torture. When dead he would criticize their beauties with his confidential servitors, would compare one with another, and would kiss with rapture the heads which pleased him most."¹ Yet this monster died with words of godly exhortation on his lips and confident of salvation. Under the threat of torture he freely confessed to crimes enough to put 10,000 men to death. He was taken into church and granted absolution, and the execution was carried out on the following day. The extraordinary wickedness of this man made a deep impression on the superstitious people of Brittany, where he became, in later ages, identified with the Bluebeard of Perrault's nursery story, of which some writers maintain that he furnished the original, possibly because he is said to have had seven wives, though he possessed only one. It is something to the credit of the Holy Office that it had a share in bringing this fiend to justice.

The growing belief in witchcraft and demonology in the fifteenth century gave additional strength to the long arm of the Inquisition, for witches were of necessity heretics. They were at first treated with comparative mildness, the secular courts being apparently the first to inflict the penalty of burning in such cases. But the Inquisition soon equalled this severity, and gave the

¹ Lea, *Inquisition*, vol. iii, p. 472.

accused fewer chances of escape. Venice, however, was less energetic in this matter than most States, for in 1486 and 1521 it incurred the wrath of the Papacy by refusing to burn some witches condemned by the Inquisition. In 1474 several women were burnt in Piedmont for witchcraft, but two others, who were able to employ counsel of their own, had their case transferred to Turin, and presumably secured acquittals—a fact which seems to show the prudence of the Inquisitors in choosing the advocate for the defence, and excommunicating him if he was successful.

Of the Vaudois, or witches of Arras, several persons after being cruelly tortured, were burnt in 1460, a hermit being the first to suffer at Langres; and seven persons were put to death in one *auto de fé* in July of that year. Many of the leading and wealthiest men of Arras were arrested; confessions, some of them afterwards withdrawn, were wrung from them by torture, and twelve persons in all were burnt out of the thirty-four apprehended. The epidemic of credulity died away after a time, and the Inquisition stopped further prosecutions; but the prosperous city of Arras suffered enormous loss by the confiscations imposed and the panic which dislocated its trade. The return to sanity was chiefly due to the son of one of the victims succeeding in an appeal to the Parliament of Paris (previous appeals had been suppressed), which, after a brief inquiry lasting thirty years, issued a decree rehabilitating some of the accused, and caused the promoters of the prosecutions to be heavily fined. It was decreed that torture should be for the future prohibited. This is “probably the only case on record in which an Inquisitor was brought before a law court to answer for his official actions.”¹ Thus a healthy scepti-

¹ Lea, *Inquisition*, vol. iii, p. 530.

cism was beginning to enter the public mind. Several persons were charged before the Bishop of Amiens, who acquitted them; another was acquitted by the Archbishop of Besançon; while a third was tried by a tribunal consisting of the Archbishop of Rheims, the Bishop of Paris, the Inquisitor of France, and some theological experts. He was not only acquitted, but authorized to prosecute his accusers for reparation and damages. A poor man who went mad on the subject of witchcraft was burnt in August, 1460.

In its early stages the belief in witchcraft was artificially stimulated by the Church, and flourished in an atmosphere of ignorance and dread of the unseen. "Had the Church resolutely repressed the growing superstition in place of stimulating it with all the authority of the Holy See, infinite bloodshed and misery might have been spared to Christendom."¹ Every Inquisitor was an agent for the spread of the belief, and the Church industriously taught it. An Italian Inquisitor in 1485 burnt forty-one people for witchcraft in one district in the Grisons—an exploit which gratified the historian Sprenger; and Innocent's Bull of 1484 gave a perceptible impulse to the superstition, forty-eight persons being burnt in one small German town in five years by order of Sprenger and a fellow Inquisitor. To doubt the reality of the crime was to dispute the authority of the Church; to aid an accused person was to impede the Inquisition. A woman charged with witchcraft had little chance of escape, for if her defence made a favourable impression on the judges they also were considered to have been bewitched, and few of them cared to run that risk. Confessions made under severe torture were, of course, numerous; and were afterwards used as proving the

¹ Lea, p. 534.

reality of the crime. The small amount of incredulity which existed vanished before Sprenger's *Malleus Maleficarum*, which Lea terms "the most portentous monument of superstition which the world has produced." With perfect good faith and absolute belief in the truth of demoniacal possession, Sprenger brought forward an overwhelming mass of evidence, which no one in those times was able to rebut or dared to dispute. This terrible book, which remained the recognized authority on the subject for more than a century, immensely stimulated a belief which, as Lea remarks, is "a process of purely natural evolution from the principles which the Church had succeeded in establishing."¹ For 200 years the Church had done all it could to promote this belief. Pope Calixtus, in 1457, ordered the repression of witchcraft, and towards the end of the century Alexander VI urged the Inquisitor of Lombardy to show greater zeal in his work. Early in the sixteenth century Julius II defined the powers of the Inquisitors, and issued to their helpers indulgences similar to those given to Crusaders. Thus persecution produced its natural effect in a great revival of superstition in Northern Italy. The Inquisitors burnt 140 persons at Brescia in 1510, and 300 at Como four years later.

The Witch Sabbaths were a well-known institution in the Middle Ages, and it is reported that more than 25,000 persons were sometimes present at these weird gatherings. In view of the danger incurred, such popularity seems unaccountable enough to suggest that the narratives spring from sheer delusion. In the district of Valcamonica an Inquisitor burnt seventy witches and sent as many more to prison, while those suspected or accused numbered 5,000, about one-fourth of the popula-

¹ Lea, *Inquisition*, vol. iii, p. 544.

tion of the valleys. The Venetian Senate thought this was going too far, but its protest only brought strong remonstrances from the Pope, Leo X, and fresh orders for persecution. The Senate replied by a dignified and rational document, laying it down that the accused were to have a fair trial with legal safeguards, that torture must be discontinued, that the Inquisition's expenses were to be kept within moderate bounds, that greed for money was not to be the reason for prosecution, and that the excesses alleged against Inquisitors would have to be investigated. This document, "a monument of considerate wisdom and common-sense," was ignored, and Christendom abandoned itself to a senseless, delirious orgy of superstition and cruelty. Between the madness of the Catholic and the madness of the Protestant there was little to choose. On one point at least they were in accord, and it is significant that Calvin used the arguments of the Inquisitors to justify persecution. In Geneva 500 persons are said to have been burnt within three months, at Toulouse 400 on a single occasion (some say 1,500), at Bamberg 600, at Wurzburg 900 in one year—all in the sixteenth century. The Senate of Savoy condemned 800 at one time. That a cold spring in 1586 was caused by witchcraft was proved by the confessions of the guilty parties, and for this crime 118 women and two men were burnt by the Archbishop of Treves. This city seems to have exceeded all others in its atrocities. According to Lecky, 7,000 persons were burnt there for sorcery, but he does not state over what period these figures extend. The Inquisitor Paramo, who wrote in the sixteenth century, boasts that since 1404 the Holy Office burnt as many as 30,000 persons, who, if let alone, would have "brought the whole world to destruction."¹

¹ *Rise and Influence of the Spirit of Rationalism*, vol. i, p. 3.

This Paramo defended the secrecy of the Inquisition on the ground that God was the first Inquisitor, and that in secret Adam and Eve had been tried.

Intellect and Faith.

A religion which imagined that it was the repository of a full and final revelation, that it possessed the keys of the invisible world, and which regarded every doubt as a heresy born of the devil, naturally became in practice a vast machine for persecution. When mental activity was thus a crime, and any attempt to increase knowledge an act of rebellion against God, it was clear that human progress was brought to a standstill. No one can tell what progress would have been made had the Inquisition not existed; that it kept Europe for hundreds of years in mental torpor, and did what it could to make the reign of stupidity eternal, does not admit of question. What the magnificent brain of Roger Bacon could have achieved is matter for speculation. It has been disputed, but seems to be true, that he was imprisoned for his advanced opinions, and died a captive; but, however that may be, it is certain that the Church succeeded in preventing mankind from benefiting by his researches. Anything like modern Freethought was out of the question, but distinct approaches to it were made in the twelfth century by Averrhoes, whose particular tenets were that matter is uncreated and eternal, that the soul dies with the body, only collective humanity being immortal, and that all religions are of human origin and, though useful incentives to virtue, contain only relative truth. These doctrines, which were looked upon as deadly heresies, surprisingly anticipate some of the speculations of our own times. It is remarkable that under the rigorous conditions which prevailed Averrhoism should have spread so rapidly as it did, but it could have

been only among the scholarly few ; and in the thirteenth century, which was in certain respects more advanced than the fifteenth, these opinions made some slight impression on the popular mind. Had the impression been deeper, the results might have been in some respects more disastrous. The general ignorance was so great that a premature abandonment of the orthodox faith might have been made the occasion of even more flagrant moral licence than actually existed, and so have strengthened the hands of the persecutors. A system which held all religions to be untrue, especially the religion of the Christians, who daily ate their God, would naturally enough be thought to emanate from the bottomless pit, and it is an astonishing circumstance that for a long time the Inquisition left Averrhoism alone. Herman of Ryswick, the most famous successor of Peter of Abano, after being sentenced to perpetual imprisonment, continued to propagate his errors, and in 1512 was burnt at the Hague by order of the Inquisition. It is evident that at times considerable freedom of speech existed, or Laurentius Valla would scarcely have been able, in the middle of the fifteenth century, to assail the "Donation of Constantine," or to declare that the Papacy should be deprived of its temporal power. Valla got off cheaply by a simple declaration that he believed as Mother Church believed, though Mother Church, he added, knew nothing about it. Ultimately this restless disputant obtained a clerical sinecure in Rome, and died in peace. Several other unbelievers escaped the customary doom of mental independence. It is one of the anomalies of ecclesiastical history prior to the Reformation that, while the most trifling variations from orthodoxy were relentlessly crushed, a philosophical humanism hardly distinguishable from downright Atheism was fashionable among the intellectual

classes, even those in clerical orders, and frequently went unpunished. The writings of the famous Raymond Lully—perhaps the most voluminous author on record, for he is credited with 321 volumes—brought him into conflict with the Inquisition; and long after his death in 1315 Eymeric, the Inquisitor of Aragon, sought to have his memory condemned. This was partially done in 1620, though the main object of Lully had been to suppress the heresy of Averrhoism, and many miracles wrought by his remains had evidenced his saintliness. Not many figures of the Middle Ages have had the doubtful honour of being both heretic and saint.

In 1331 Pope John XXII had imprisoned an English priest who maintained that the saints after death are at once admitted to the presence of God. This doctrine, known as the "Beatific Vision," had aroused the Pope's anger, but he was subsequently compelled by the strength of the general opinion in its favour to accept it, after a controversy which nearly cost him his tiara. Years of bitter dispute ensued on a subject about which no human being knew anything whatever, and it even became a question of grave political consequence, for the monarchs of the time ventured to differ from the Papal opinion. The Inquisition espoused the popular view, and made questions on the subject an important part of the interrogatories addressed to the unlucky persons brought before its tribunals.

About the doctrine of the Immaculate Conception, a purely dogmatic development, a further mass of superstition spread, and gave rise to bitter controversies, the Franciscans and Dominicans quarrelling so fiercely that in 1482 popular tumults broke out in Italy on this mysterious topic, of which everybody was supposed to know something. The theory that the Virgin Mary never from the moment of her conception shared the

sinful tendencies of ordinary mortals was something of a novelty, and the Dominicans who rejected it had tradition in their favour, but they were overborne by the increasing power of the new superstition. An Italian priest who in 1504 maintained that Christ was conceived in the Virgin's heart was seized by the Inquisition, and had a narrow escape from death by fire. A special appearance of the Virgin herself, who expressed her annoyance at the doctrine, caused an immense sensation until it was discovered that the manifestation was a trick got up by the Dominicans, and four of the culprits were burnt. Not until 1854, after five centuries of struggle, was the doctrine officially proclaimed as a formal act of faith, when the Dominicans obediently began to find reasons in its favour. It would seem to be a logical sequence that the reputed father of the Virgin was no more concerned in her birth than Joseph was supposed to be in that of Jesus, but for maintaining this thesis a man was condemned so recently as 1876.

Censorship of Books.

Notwithstanding the extent to which heresy was propagated by printed books, it was a long time before the Inquisition was recognized as the most convenient instrument for their supervision and suppression. The first Papal deliverance on the subject was a Bull by Gregory XI in 1376, instructing the Inquisition to examine and condemn suspected writings, but what were the results is not known. An Archbishop who burnt some writings of John Wycliffe at Prague was found to have exceeded his powers, and it was not till the beginning of the sixteenth century that a regular censorship was organized, and then in Germany only. However, the Inquisition was willing to undertake additional responsibilities, and at length made a rule

that any one possessing books of doubtful orthodoxy must within eight days deliver them to the Bishop or Inquisitor of his district, on pain of being under vehement suspicion of heresy. That the Church was more anxious to preserve its privileges than to promote religion may be inferred from the fact that translations into the vernacular of any parts of the Bible were prohibited. As it was found before long that books containing heretical doctrines were being circulated, it was deemed expedient to forbid anything being printed without previous examination by the Holy Office and the Papal and episcopal authorities. The religious world, however, became so disorganized by the Reformation that these precautions were of little avail, and it was not until the Church had regained much of its power in the counter Reformation that a really strict censorship could be established.

The Greek Church.

Although one Pope, Boniface VIII, issued a Bull decreeing that every human being, including the members of the Greek Church, was bound to obey the Roman Pontiff, a prudent and tolerant attitude was usually maintained towards that unsound but powerful rival. Stray members of the Greek communion who happened to be found in Western Europe were at times persecuted as heretics, and in 1351 all Greeks were ordered once a year to confess and take the sacrament according to the Latin usage. Any person who after this decree violated it was a relapsed heretic, and entitled to no mercy. But to coerce effectively a great religious organization, every member of which was in the eyes of Rome a heretic, proved too arduous a task for orthodoxy, and the Inquisition failed to utilize the glorious opportunities for persecution afforded by Eastern Europe, with its variety of races and religious ideas. The Church was

therefore prudent enough to follow a line of policy as mild and tolerant as it was novel.

Indulgences and Simony.

The scandal to the cause of true religion which accompanied the sale of Indulgences was so notorious all over Europe that it is surprising to find that this abuse—deeply prejudicial to the Church and to public morals—was not considered to deserve vigorous repression. It is true that the practice was sometimes officially denounced, as when Pope Alexander IV gave the Inquisitors power to deal with the evil. But Lea asserts that, so far as he can discover, only one man was tried by the Inquisition for this prevalent offence. He admitted that he had been in the habit of telling monstrous falsehoods and filling the superstitious people with absurdities, but it is doubtful whether he was punished—if at all, it was by nothing more than a light penance. The remarkable lenity of the Church towards this traffic was, of course, due to the fact that it furnished a very substantial source of profit; but if the Popes had expended on the internal reform of the Church a hundredth part of the energy which they devoted to the suppression of minor differences of opinion the Reformation might conceivably have been averted. It was the Reformation that made imperative that moral renewal which prolonged the influence of the Church and still constitutes one of the chief elements of its strength.

It is a striking proof of human selfishness and of the extent to which it blinds mankind to its own failings that the Inquisition was never instructed to put down simony (which, as heresy, came within its jurisdiction), and that it never volunteered to do so—a fact which shows very clearly that, in the view of the Christian Church, morals were of trifling importance compared with belief. One or two of the Popes worked with

genuine zeal and immense energy to extirpate the evil, but without avail. The practice being highly profitable financially to the Church, its disastrous moral effects were ignored, the laudable desires of some Pontiffs being thwarted by others less scrupulous. Every clerical office, from the highest to the lowest, was virtually sold by auction. Pope John XXII even drew up a scale on which absolutions for simony could be granted at the lowest market rates. The prevalence of this offence was perhaps the chief of all the causes which contributed to the degradation of the Christian Church. In this connection it may be interesting to reproduce here a clever and daring satire which was popular in the thirteenth century :—

Here beginneth the Gospel according to the silver marks. In those days the Pope said to the Romans : When the Son of Man shall come to the throne of our majesty, first say to him : Friend, why comest thou? And if he continue to knock, giving you nothing, ye shall cast him into outer darkness. And it came to pass that a certain poor clerk came to the court of the lord pope, and cried out saying : Have mercy on me, ye gate-keepers of the pope, for the hand of poverty hath touched me. I am poor and hungry ; I pray you to help my misery. Then were they wroth and said : Friend, thy poverty perish with thee ; get thee behind me, Satan, for thou knowest not the odour of money. Verily, verily, I say unto thee that thou shalt not enter into the joy of thy Lord until thou hast given thy last farthing.

Then the poor man went away, and sold his cloak and his coat and all that he had, and gave it to the cardinals and gate-keepers and chamberlains. But they said : What is this among so many? And they cast him beyond the gates, and he wept bitterly and could find naught to comfort him. Then came to the court a rich clerk, fat and broad

and heavy, who in his wrath had slain a man. First he gave to the gate-keeper, then to the chamberlain, then to the cardinals; and they thought they were about to receive more. But the lord pope, hearing that the cardinals and servants had many gifts from the clerk, fell sick unto death. Then unto him the rich man sent an electuary of gold and silver, and straightway he was cured. Then the lord pope called unto him the cardinals and servants, and said unto them: Brethren, take heed that no one seduce you with empty words. I set you an example; even as I take so shall ye take.¹

Avaricious men were enabled by an incredibly bad system to make religion a public danger. Priests who led women astray on the plea that intercourse with holy men was not sinful, a depraved laity, religion severed from morals—these made up a state of society in which apprehensions existed that the wickedness of the clergy would provoke the people to rise against them, or perhaps even bring on the world the final visitation of Divine wrath. Good men asked why God did not intervene to save his Church from ruin. No intervention came.

¹ Lea, *Inquisition*, vol. iii, p. 625.

CHAPTER VI

THE GENTLE ART OF WHITEWASHING

IF the Inquisition really was the beneficent institution which some of its apologists represent, it is singular that their defences should be so weak and their admissions so damaging. The line taken is, in the main, that heresy is a crime against social order, that the Holy Office embodied the tendencies of the age, that its methods were no worse than those of the secular powers—were, indeed, an improvement upon them, and that no special reproach can be directed against the Church on the score of inhumanity. It is claimed that the practice of the Inquisition, though rigorous at the outset from the necessities of the case, was modified by experience in the direction of mildness and mercy, and that the frequent appeals to Rome implied the certainty of an indulgent hearing.

Thus the Rev. J. Balmez, a Spanish writer who, in his *European Civilization*, defends the Inquisition—on the whole in a fairly judicious and tolerant spirit—alleges that the Inquisitorial “rigour was the result of extraordinary circumstances—the effect of the spirit of the nations and the severity of customs in Europe at that time.”¹ No student of history will deny that there is some truth in this contention, though he would naturally expect the Christian Church to have made far greater efforts than it did to mitigate the “severity of customs.” Its conceptions of social order were incompatible with

¹ Balmez, *European Civilization* (London, 1855), p. 186.

personal liberty. And it is curious that when in Southern France the majority of the people were heretics they showed no tendency to persecute, though they had the power. All the events, the movements, and the personages of human history are necessarily the consequences of their antecedents; but, unless we are to relieve all human beings from responsibility for their actions, we cannot exonerate the Inquisition from crimes of the greatest magnitude. It may have been established from the best and purest motives; yet, though experience made it fully aware of the terrible evils which resulted from its procedure, it deliberately increased them. All the actions of virtuous men are not good actions, and if, in putting into practice particular theories, they are found to produce mischievous effects, a sacred obligation rests upon the holders to revise their views in the light of the experience gained. Buckle, with justice, maintains that moral feelings alone are not equal to the task of preventing persecution. If the moral feelings are enlisted on the side of what is erroneously believed to be the truth, the sincerity of the persecutor only makes him the more dangerous to society. "That the Inquisitors were remarkable for an undeviating and incorruptible integrity may be proved in a variety of ways and from different and independent sources of evidence."¹ In admitting the general truth of this remark, it must be borne in mind that the Inquisitorial system facilitated grave abuses by officials whose integrity was far from "undeviating." Buckle adds: "The evidence decisively proves the utter inability of the moral feelings to diminish religious persecution.....The great antagonist of intolerance is not humanity, but knowledge. It is to the diffusion of knowledge, and to that alone, that we owe

¹ Buckle, *History of Civilization*, vol. i, p. 187.

the comparative cessation of what is unquestionably the greatest evil men have ever inflicted on their own species. For that religious persecution is a greater evil than any other is apparent, not so much from the enormous and almost incredible number of its known victims as from the fact that the unknown must be far more numerous, and that history gives no account of those who have been spared in the body in order that they might suffer in the mind. We hear much of martyrs and confessors—of those who were slain by the sword or consumed in the fire ; but we know little of that still larger number who, by the mere threat of persecution, have been driven into an outward abandonment of their real opinions, and who, thus forced into an apostasy the heart abhors, have passed the remainder of their lives in the practice of a constant and humiliating hypocrisy. It is this which is the real curse of religious persecution. For in this way, men being constrained to mask their thoughts, there arises a habit of securing safety by falsehood and of purchasing impunity with deceit. In this way fraud becomes a necessary of life ; insincerity is made a daily custom ; the whole tone of public feeling is vitiated, and the gross amount of vice and of error fearfully increased. Surely, then, we have reason to say that, compared to this, all other crimes are of small account ; and we may well be thankful for that increase of intellectual pursuits which has destroyed an evil that some among us would even now restore.”¹ Notwithstanding the great improvement in knowledge, however, the main body of the Christian Church still holds that persecution of erroneous doctrines is not an evil, and still officially teaches that their propagation should be punished with death. A Dominican priest in 1782 ferociously argued that “the

¹ Buckle, p. 189.

command in Deuteronomy xiii, 6-10, to slay without mercy all who entice the faithful from the true religion, is almost literally the law of the Holy Inquisition; and proceeded to prove from Scripture that fire is the peculiar delight of God, and the proper means of purifying the wheat from the tares."¹

It is perhaps going too far to affirm that all the Inquisitors were men of incorruptible integrity. From the first the motive of religious zeal was alloyed with the desire of personal or corporate profit, and an elaborate system of persecution and extortion was invented which permitted the exercise of both passions, whereby the many suffered to gratify the few.

Balmez remarks that "the Roman Inquisition has never been known to pronounce the execution of capital punishment.....the facts show the difference between the Popes and the Protestants. The Popes, armed with the tribunal of intolerance, have not spilt a drop of blood; Protestants and philosophers have shed torrents."² The object of this impudent lie is simply to score a point against Protestantism. That Protestants persecuted vigorously when they had the power no one disputes; for a long time they failed to understand their own principles. But they had less power and fewer opportunities than the Church of Rome. The precise degrees of culpability in the two bodies cannot be determined here. No other Church but that of Rome has ever set up an Inquisition. The preceding pages will have shown that the Popes many times officially instituted crusades against Christians who rejected parts of their teaching; that they expressly commanded human beings to be tortured and put to death; that all through the Middle Ages the Church exerted a dominant influence over the

¹ Lea, *Inquisition*, vol. i, p. 228.

² Balmez, *European Civilization*, p. 185.

State, and, while affecting scruples as to the actual shedding of blood, insisted on the secular power inflicting death in a form infinitely more painful than that of the sword. Thus an educated writer can actually maintain that, because a man does not murder with his own hand, but induces another to murder for him, he has no moral responsibility for the crime. What civil code would recognize such a doctrine? The subterfuge merely adds hypocrisy to cruelty. The admission will be noticed that the Popes were "armed with the tribunal of intolerance." The "facts" show unmistakably who created that tribunal. They show with equal clearness how it was employed. It will also be observed that in this passage Balmez suppresses the fact that the Inquisition had been actively at work for 300 years before Protestantism was heard of, and that its most frightful excesses were committed against those whose moral sense was outraged by the conduct of the clergy.

It is true that the practice of the Inquisition became milder in the course of time. But to claim this as a merit is to falsify the plain historical record. There were two principal reasons for the diminished severity, neither of them reflecting special credit on the persecutors. In Languedoc and Spain the Inquisition succeeded in exterminating practically every heretic in the kingdom, so that the field of its operations became gradually narrowed. The Inquisition ceased to burn heretics only when there were no more heretics to burn. And a certain inclination to milder penalties was made inevitable by an improvement in secular morals which can hardly have been the work of the Church which had seriously retarded it. In other countries the diffusion of knowledge led even some ecclesiastics to perceive the futility of persecution, and when that point was reached they became convinced of its inhumanity. Balmez might as well have argued

that the dying-out of the witchcraft mania was due to the benevolent spirit of the witch-hunters.

A significant admission made by Balmez may be noticed. "I see," he remarks, "that from the earliest times, when the Church began to exert political influence, heresy began to figure in the codes as a crime; and I have never been able to discover a period of complete tolerance."¹ This means that the spirit of intolerance, so rapidly developed in the Church, infected the State also. The fact is beyond dispute, but it simply furnishes an additional testimony to the evils of ecclesiasticism. Nor will any one deny that the Christian Church has never yet shown to the world "a period of complete tolerance."

The further argument of Balmez, that the Inquisition preserved Spain from the "dangers" of Judaism and Protestantism, may also be admitted as representing facts, though it is necessary to draw from them conclusions other than his own. The material prosperity of Spain would have been incalculably greater if the Jews had been allowed the free exercise of their business abilities and the practice of their non-aggressive faith; while, if Protestantism had been permitted the freedom which it secured elsewhere, the cause of spiritual religion must have been promoted. As to the Inquisition having averted civil war, if the Church had grasped the idea of tolerance civil war over religious differences would have been impossible. But even that serious peril would have been a less evil than the extinction of liberty, the slow suffocation of the intellectual life, the neglect of science, and the decay of commerce, which actually resulted from the Inquisition's policy. Civil war would have been at least an indication of life. The Inquisition meant death.

¹ Balmez, p. 181.

Perhaps the best-known and most thorough-going apologist for the Inquisition, so far as Spain is concerned, is Count Joseph De Maistre (1754-1821), a Romanist layman who adopted a strongly ecclesiastical point of view, and whose great ability was marred by a tendency to paradox and dogmatism. His *Letters to a Russian Gentleman on the Spanish Inquisition* are full of a vivacious special pleading, which perplexes without enlightening the reader. His main arguments group themselves round three points: (1) That the Spanish Inquisition was a purely secular institution; (2) that it did not condemn to death; (3) that it did not punish the expression of opinion on questions of religion.

With regard to the first point De Maistre says: "The Inquisition, by virtue of the Bulls of the Sovereign Pontiff, and the King, by virtue of his royal prerogative, constitute the authority which regulates, and has always regulated, the tribunals of the Inquisition—tribunals which are, at the same time, both royal and ecclesiastical; so that, if either of the two powers happened to withdraw, the action of the tribunal would necessarily be suspended" (p. 8). How this explicit admission that the Spanish Inquisition was both a State and a religious organization is reconcilable with the assertion that it was "entirely a royal institution" must be left to the reader's ingenuity to discover. De Maistre effectively demolishes his own contention. It is still more effectively confuted by a later and better authority. Dr. Pastor admits that the Spanish Inquisition was "a mixed, but primarily ecclesiastical, institution. The fact that the condemned were handed over to the secular arm testifies to the correctness of this view. Had the Spanish Inquisition been a State Inquisition, a royal court of justice, there would have been no necessity for this. A court which invariably hands over those whom it finds guilty to the

secular arm for punishment cannot itself be a secular tribunal. It was precisely the ecclesiastical character of the new Inquisition which made its judges decline to execute capital sentences and follow the custom always observed by the ecclesiastical Inquisition, of requesting that the prisoner 'might be leniently dealt with'—a formality prescribed by the canon law."¹ The formula of mercy, of course, deceived no one. In another place Dr. Pastor says: "It is important to note, as a significant fact bearing on the character of this institution, that 'not only the ecclesiastical authorization of the first Inquisitors, but also the first regulations as to the mode of procedure, emanated directly from the Pope.'"² Lea states that the Inquisition even claimed that all civil statutes of which it disapproved should be abrogated.³ But if the responsibility for the establishment of the Spanish Inquisition rests only partially upon the Popes, there is no question of divided responsibility in the case of the institution with which the present essay is concerned. That was established, renewed, and supervised at every turn by the Papacy.

De Maistre's second contention is that the Inquisition did not pass sentences of death, but that if it virtually did so it merely followed the practice of all other tribunals, which necessarily have the power to inflict death for serious crime. "All tribunals condemn to death," he says, adding: "The Church so abhors blood that a priest cannot be a surgeon, lest his consecrated hand should shed the blood of the patient" (p. 11). It is sheer superstition to argue that a tribunal notoriously prone to inflict excessive punishment is relieved of moral responsibility by omitting a particular form of words, while taking every possible precaution to ensure the punishment being

¹ Pastor, *Lives of the Popes*, vol. iv, pp. 403-405.

² *Ibid.*, p. 402.

³ *Inquisition*, vol. i, p. 385.

mercilessly inflicted. The argument is a dishonest shift, which "strains at a gnat and swallows a camel." The "consecrated hand" was too holy to practise the art of saving life, but not too holy to employ an unconsecrated hand to destroy it. In this connection De Maistre enlarges on the lenity of Rome, which frequently protested against the severity of the laws against heresy. That mildness was occasionally shown is true, but it is forgotten that Rome itself—as the Papal Bulls ordering torture prove—was very largely responsible for the severity. That the tenderness was not due to an excess of humane feeling we may infer from the savage rigour which in the thirteenth century became a feature of the canon law. Had that law been a model of gentleness and love, ecclesiastics would have found no difficulty in making it an engine of cruelty and persecution, on the plea that concern for the heretic's soul made it necessary and wholesome to punish his body. As it was, injunctions to deal mercifully with him were so systematically set at naught that very little importance can be attached to their face value. Inquisitors were seldom reproved for being zealous persecutors. De Maistre's verdict that the Inquisition was "mild, tolerant, charitable, the bearer of consolation in every country of the world," sounds like irony, but was probably his sincere conviction. Polemical writers sometimes empty words of all intelligible meaning.

In his third main argument De Maistre shows the cloven hoof. He maintains that people are rightly punished if they "strike deadly blows at the religion of their nation," that "the propagator of heresy ought to be classed among the greatest criminals," and that it is positively wicked to protest against the punishments of the Inquisition (p. 44). If these contentions are sound, it is a waste of time to argue that the Inquisition

did not punish the expression of heretical opinions in religion. It was established for that very purpose.

The following specimen of De Maistre's reasoning will probably be sufficient: "God has spoken; it is for us to believe. The religion which he established is *one*, even as He is Himself. Truth being essentially intolerant, to profess religious toleration is to profess scepticism; in other words, to exclude faith. Woe, a thousand times woe, to the stupid imprudence which accuses us of damning men. It is only God who damns; He alone has said to His messengers: *Go, teach all nations! He that believeth shall be saved, but he that believeth not shall be damned*" (p. 72). This passage is reproduced merely as a curious example of the religious reasoning of a century ago. Fortunately for human happiness, the world has condemned this point of view by abandoning it. The day has gone by for arguments which seek to justify religious persecution, and for appeals to supernatural authority in support of irrational dogmas.

In our own time the Inquisition has found a far more reasonable and fair-minded apologist in the person of Monseigneur Celestin Douais, Bishop of Beauvais, who published in 1906 a scholarly examination of the Holy Office. The first sentence of this work is that "The Inquisition was established by the Papacy, which alone was qualified to do so," and that "this fact is universally known and recognized." The Bishop adds that the Inquisitor Eymerich expressly lays it down that an Inquisitor is not a secular judge, but a delegate appointed by the Pope. If, in his calm and restrained historical exposition, he nowhere condemns the organized barbarity of the system, he freely exposes its defects, and only incidentally defends its proceedings. He is a historian rather than an apologist. The few considerations he urges are of quite minor importance; if they

extenuate the guilt of the Inquisitorial practice, they by no means disprove the enormous mischief it produced. Thus he asserts, on the authority of Eymerich, that the names of witnesses were suppressed because, if mortal enmity to the accused could be proved against them, they were required to withdraw from the case. In practice the accused gained no advantage from this provision, for he could only guess at his possible enemy, and the Inquisitors were ingenious enough, if they so desired, to prove his guesses wrong. The handicap to the prisoner remained, and it is possible to assume that one reason for the extreme secrecy was the determination to render the concession useless.

Monseigneur Douais states that ecclesiastical law was in general milder than secular law, and that torture was interdicted by the canons until 1252. This may be so, but it was a Pope who in that year insisted on the employment of torture, and it was again expressly authorized by Innocent IV, Urban IV, and other Popes. In this, as in other matters, it is useless to rely on provisions which were habitually set at naught. The contention that torture was seldom used is perhaps the result of too implicit a trust in formulas. According to M. Langlois, torture became so much a part of the ordinary process that it was purposely left unrecorded.¹ The great thing was to extract confession; it was easy to preserve a discreet silence as to the means. In the civil records the same peculiarity is observable.² No institution has ever exhibited greater discrepancies between theory and practice than has the Inquisition.

That provision was made for the mitigation and even remission of penalties need not be doubted. But this

¹ C. Langlois, *L'Inquisition*, p. 65.

² L. Tanon, *Histoire des Tribunaux de l'Inquisition en France*, p. 377.

was done in few and exceptional cases only ; the decision being customarily left to the Inquisitors' discretion, it became the practice to ignore everything that tended in favour of the persons accused.

That the co-operation of the Bishop of the diocese was necessary to give validity to the Inquisitorial sentence is assumed by Monseigneur Douais to have relieved the Inquisitors of some portion of their responsibility. Probably it did sometimes make the trial a little less serious for the accused, for the Bishops did not always share the inflexibility of the Holy Office. But the argument merely lifts a part of the responsibility from one department of the Church and places it on another. Undeniably the Inquisition was set up by the Church of Rome. The arrangement was, of course, no guarantee that justice would be done, nor does it disprove the charge that the Inquisition was a serious menace to civilization.

The point on which Bishop Douais lays most stress is that the delivery of the heretic to the secular arm was a matter quite distinct from his subsequent fate, with which neither Inquisition nor Church had any concern. It was regrettable that people should be burnt alive, but that was entirely the affair of the civil power. The Church could not carry out a sentence which it had not delivered ; its own sentence was merely a harmless pronouncement that the heretic was cut off from the Church. And the Church always took particular care to plead for his gentle and merciful treatment. Now the formula, "Without shedding of blood," was known to be a callous and cruel pretence. The Inquisition was perfectly aware of the result of its relinquishing the heretic to the secular arm. If it objected to men being burnt alive, if the civil power exceeded the intentions and wishes of the Church, why did the Church never raise a

word of protest? What it did was usually to send a secretary to see that the burning was properly carried out, and if it was not the magistrate himself was liable to the penalties for heresy.¹

Finally, Monseigneur Douais claims that the Inquisition, by its wise conformity with the social justice of the period, succeeded in reducing heresy, and "separated the secular power from the spiritual domain of the Church."² Thus an arrangement by which the Church compelled the State to do its dirty work is termed a "separation." An ecclesiastic sees separation where other people would see alliance. This is called "reconciling the interests of God and Cæsar." The blasphemy appears to be quite unconscious.

An article on the Inquisition by a Jesuit priest, Joseph Blötzer, of Munich, which appears in the *Catholic Encyclopædia*, contains one or two statements which may be very briefly noticed. The assertion that the Church was more merciful than the State is true only in comparatively rare instances; but, considering the claims of the Church to a Divine origin and also the general spirit of its founder's teachings, one would expect the difference to be very much more perceptible.

Heresy is said to have been primarily a political offence. On the contrary, it was primarily a religious offence, as would naturally be inferred from the flourishing condition of the Netherlands, the Albigensian and other heretical communities, the remarkable industry of whose members made them most valuable citizens. Throughout the shameful story of religious persecution it was usually the Church which goaded the sometimes reluctant State to suppress heresy; it was the Church that nagged and bullied rulers into compliance with its

¹ Douais, *L'Inquisition*, p. 265 et seq.

² *Ibid.*, p. 273.

will. They were fools to comply, but comply they did, frequently under threat of excommunication. Occasionally the Church and its favourite department, the Holy Office, did have a fit of compassion, but it was the exception that proved the rule. And the fit usually came on when there was money to be made by clemency.

The Church, it is claimed, enjoined excommunication, but not death, as the punishment of heresy. This is true of particular periods only; as applied to the whole career of the Inquisition it is part of the conventional hypocrisy. The Church disliked the term "blood," but caused it to be shed freely enough; it seldom used the word "death," but it handed over the heretic to the secular power with a perfectly clear understanding that death was to be the penalty.

According to Father Blötzer, the general lay opinion was that heretics should be severely punished, and the Church endeavoured to soften this feeling. If the Church is entitled to the credit of its rare attacks of tenderness, it must also take the discredit of its general barbarity. It cannot be allowed to "have it both ways." And in the Middle Ages it was, of course, the clerical body that was the fount of lay opinion regarding heresy. Some doubt as to the softening process is natural enough in view of the Papal decree of 1184 previously referred to. Peter Cantor was ordered not to put the Cathari to death immediately after the ecclesiastical judgment had been delivered, for the significant reason that the Church might not be compromised. This shows that the Church was aware of its complicity in the proceedings and in the fate of its victims. In their language dealing with these matters the apologists of the Inquisition display no small skill in casuistry. The *Catholic Encyclopædia* palliates torture by saying that it was not intended as a punishment, but as a method of eliciting truth. The

person on the rack failed to appreciate the distinction. As torture usually elicited error, the Inquisitors cannot be complimented on the rationality of their methods. Other Inquisitorial terms are juggled with in the same way by the apologists. Confiscation of a heretic's goods was simply a mode of defraying the costs and expenses of his trial. Imprisonment, again, was not punishment ; it was nothing more than a useful discipline which afforded an opportunity of repentance.

The Jesuit writer concludes that "the Inquisition marks a substantial advance in the contemporary administration of justice, and therefore in the general civilization of mankind." If to prevent the honest expression of thought is to advance civilization, the claim is just. If the administration of justice is promoted by torture, when in the extremity of pain people will confess anything, the correctness of the assertion must be admitted. If to burn men and women alive is the way to increase human happiness, the apologist is not audacious. Evidently the Church has not yet repented of or profited by its own lurid past. It would not be ashamed to persecute in the twentieth century if it had the power. That power it still claims, and the right to exercise it even to death is still maintained by its defenders.¹ In the middle of the nineteenth century Rome was still able to imprison a vicar of the Apostolic College who had embraced Protestant opinions.² The Inquisitor-General of Ancona issued in 1843 a severe decree against Jews, not as relapsed Christians, but simply as Jews.³

According to this authoritative *Encyclopædia*, the

¹ See *The Popes and their Church*, by J. McCabe, page 211.

² See *Dealings with the Inquisition*, by Dr. G. G. Achilli (London, 1851).

³ *Ibid*, p. 392.

Inquisition still preserves its official existence, and ranks as the "first among the Roman Congregations." "When momentous decisions are to be announced" the Pope "always presides in person" over its deliberations; but in these days the necessity for his attendance cannot frequently arise. The Inquisition claims jurisdiction over all Christians, and even (as a matter of theory) over the Cardinals of the Church, though in practice the Cardinals are, as might be anticipated, exempt from any unwelcome surveillance.

Readers who have thus far followed this brief account of the Inquisition will have little difficulty in forming an opinion about it. Is it the kind of institution they would like to see restored? Grant the extravagant supposition that all the Inquisitors were men of probity, kind, well-meaning, and conscientious—what we are chiefly concerned with are the effects produced by the system of repression which they so rigidly enforced. We have to judge whether it did or did not make for human happiness and the advance of civilization. Intellectual freedom is no less essential to progress than purity of morals. The Inquisition at least temporarily destroyed the one, and certainly did not promote the other. Knowledge grows by being shared; one idea leads, by association, to others; one gleam of truth broadens into clearer light as the dawn ushers in the day; one discovery affords a clue to another. For ever to suppress truth is beyond the wit of man, but attempts to suppress it have cumulative effects in prolonging the reign of ignorance. It is not from the ignorant that intellectual greatness may be expected, and in its effect upon public morals sheer ignorance is the mother of more crime than some persons are willing to admit. Perhaps the Inquisitors did not realize the evil of stifling thought for centuries; perhaps

they did not know that the assassination of ideas is a crime. But their twentieth-century apologists cannot plead this ignorance. They enjoy the blessings of liberty, and defend the persecutor! They profit by the heroism of those thousands of unknown faithful men and women who died for religious freedom, and they would hand the world back to intellectual slavery!

No more summary verdict on the Inquisition can be given than the concluding words of its chief historian: "It introduced a system of jurisprudence which infected the criminal law of all the lands subjected to its influence, and rendered the administration of penal justice a grim mockery for centuries. It furnished the Holy See with a powerful weapon in aid of political aggrandizement. It tempted secular sovereigns to imitate the example, and it prostituted the name, of religion to the vilest temporal ends. It stimulated the morbid sensitiveness to doctrinal aberrations until the most trifling dissidence was capable of arousing insane fury and of convulsing Europe from end to end. On the other hand, when Atheism became fashionable in high places, its thunders were mute. Energetic only in evil, when its powers might have been used on the side of virtue, it held its hand and gave the people to understand that the only sins demanding reparation were doubt as to the accuracy of the Church's knowledge and attendance on the Sabbath. In its long career of blood and fire the only credit which it can claim is the suppression of the pernicious dogmas of the Cathari; and in this its agency may be regarded as superfluous, for those dogmas carried in themselves the seeds of self-destruction, and higher wisdom might have trusted to their self-extinction. Thus the judgment of impartial history must be that the Inquisition was the monstrous offspring of mistaken zeal, utilized by selfish greed and lust of power to smother the

higher aspirations of humanity and stimulate its baser appetites." ¹

This is a severe, but perhaps not unjust, verdict. Some allowance, however, must be made for the customs of an intolerant and semi-barbarous epoch. Catholic apologists are justified in claiming that the Inquisition should be judged in relation to the times in which it flourished. But this does not explain how it was that many men, both in the Church and out of it, were so much in advance of the Inquisition as to disapprove of people being put to death for their religious opinions. If Thomas Aquinas advocated the death penalty for heresy, several eminent Fathers of the Church deprecated it, holding persuasion to be the better method. Why was not the milder and more ancient view adopted? It is suicidal to admit that the Church held back from torture and death for centuries on the ground that they were inconsistent with the spirit of Christianity. The assertion clearly implies a recognition of the incompatibility of the spirit of Christianity with calculated cruelty, and if this recognition was confined to a few superior minds so much the worse for the Church which paid no heed to them. There is obvious insincerity in the plea that the Church adopted only with reluctance the fatal policy of persecution. It insisted on that policy, often against the remonstrances of the State. It claimed to be superior to the spirit of the age, yet, on its own admission, yielded to the inferior influence. In reality it did more; it actively and spontaneously made persecution a fine art, and coerced the State to carry out its behests. When the Church excuses its cruelty by pointing to the equal cruelty of the medieval State it omits to mention that the State did not persecute opinion as such. The Christian Church did.

¹ Lea, *Inquisition*, vol. iii, p. 650.

Let it be admitted that the Inquisitors—at least originally—were well-intentioned men, who sought to promote religion as they understood it. The question arises, Did they understand religion rightly? To them religion was a complete and final revelation of a Divine will; the true faith could be one only as God was one; all who sought to disturb that faith, however good their intentions might be, were guilty of a sin worse than temporal rebellion. Have we nothing to learn from their awful error? If we may judge from the *Catholic Encyclopædia*, the Church of Rome has not learned much. The attitude of the Inquisitors is not in the least surprising when in the twentieth century we find persecution defended as a religious duty. Another of its writers, Father Guiraud, echoes De Maistre's contention that the Church of Rome alone possesses the truth, and therefore has a right to be intolerant.¹ The spirit of orthodox clericalism unmistakably appears in the tendency common to all these Romanist apologists to gloss over with a few smooth and casuistical phrases the most appalling deeds of cold-blooded cruelty which the world has ever seen. The commonwealth, says Father Guiraud, "can no more recognize the maxim of unlimited and unbridled religious freedom than it can adopt the suicidal principle of irreligion."² This implies that there is no *via media* between the rejection of all religion and a blind acceptance of dogmatic authority, and involves a claim practically identical with that of the Inquisition. If religious persecution is excusable when the spirit of the age permits it, what are we to think of those who justify persecution in an age which deems it a blunder and a crime?

¹ *Catholic Encyclopædia*; art. "Toleration."

² *Ibid.*

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